Encounter

March 1967 4s

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Intellectuals on Trial

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'Deprave & Corrupt'

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S Avineri
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John Hart Ely
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Marshall McLuhan
Memory Theatre

Frank Kermode
Maundy Money

Harold Rosenberg
Where to Begin

edited by
Melvin J Lasky &
Frank Kermode

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Encounter

MARCH 1967
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When it sees a zebra crossing?
No, no, no, no, no.
The proper answer is liquefied petroleum gases, usually supplied by Shell-Mex and B.P. and stored in a container in the body of the bollard.
Vast quantities of these gases – Propagas propane and Bottogas butane – are shipped about the country, for any job that can be done best by a 'portable power station'. Jobs from running builders' plant to heating churches; operating domestic gas cookers in caravans and rural areas; and there's even an enthusiast at Weston-on-the-Green who uses Propagas for occasional hot air ballooning. He doesn't see Shell-Mex and B.P. very often, because a little of this liquefied gas goes a long way.
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J. G. Ballard

The Atrocity Exhibition

APOCALYPSE. A disquieting feature of this annual exhibition—to which the patients themselves were not invited—was the marked preoccupation of the paintings with the theme of world cataclysm, as if these long-incarcerated patients had sensed some seismic upheaval within the minds of their doctors and nurses. As Catherine Austen walked around the converted gymnasium these bizarre images, with their fusion of Eniwetok and Luna Park, Freud and Elizabeth Taylor, reminded her of the slides of exposed spinal levels in Travis' office. They hung on the enamelled walls like the codes of insoluble dreams, the keys to a nightmare in which she had begun to play a more willing and calculated role. Primly she buttoned her white coat as Dr. Nathan approached, holding his gold-tipped cigarette to one nostril. "Ah, Dr. Austen. . . . What do you think of them? I see there's War in Hell."

NOTES TOWARDS A MENTAL BREAKDOWN. The noise from the cine-films of induced psychoses rose from the lecture theatre below Travis' office. Keeping his back to the window behind his desk, he assembled the terminal documents he had collected with so much effort during the previous months: (*1*) Spectroheliogram of the sun; (*2*) Front elevation of balcony units, Hilton Hotel, London; (*3*) Transverse section through a Pre-Cambrian Trilobite; (*4*) "Chronograms," by E. J. Marey; (*5*) Photograph taken at noon, 7 August, 1945, of the sand-sea, Qattara Depression, Egypt; (*6*) Reproduction of Max Ernst's "Garden Airplane Traps"; (*7*) Fusing sequences for "Little Boy" and "Fat Boy," Hiroshima and Nagasaki *A*-bombs. When he had finished Travis turned to the window. As usual, the white Pontiac had found a place in the crowded parking lot directly below him. The two occupants watched him through the tinted windshield.

INTERNAL LANDSCAPES. Controlling the tremor in his left hand, Travis studied the thin-shouldered man sitting opposite him. Through the transom the light from the empty corridor shone into the darkened office. His face was partly hidden by the peak of his flying cap, but Travis recognised the bruised features of the bomber pilot whose photographs, torn from the pages of *Newsweek* and *Paris-Match*, had been strewn around the bedroom of the shabby hotel in Earls Court. His eyes stared at Travis, their focus sustained only by a continuous effort. For some reason the planes of his face failed to intersect, as if their true resolution took place in some as yet invisible dimension, or required elements other than those provided by his own character and musculature. Why had he come to the hospital, seeking out Travis among the thirty physicians? Travis had tried to speak to him, but the tall man made no reply, standing by the instrument cabinet like a tattered mannequin. His immature but at the same time aged face seemed as rigid as a plaster mask. For months Travis had seen his solitary figure, shoulders hunched inside the flying jacket, in more and more newsreels, as an extra in war films, and

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then as a patient in an elegant ophthalmic film on nystagmus—the series of giant geometric models, like sections of abstract landscapes, had made him uneasily aware that their long-delayed confrontation would soon take place.

THE WEAPONS RANGE. Travis stopped the car at the end of the lane. In the sunlight he could see the remains of the outer perimeter fence, and beyond this a rusting quonset and the iron-stained roofs of the bunkers. He crossed the ditch and walked towards the fence, within five minutes found an opening. A disused runway moved through the grass. Half-concealed by the sunlight, the camouflage patterns across the complex of towers and bunkers four hundred yards away revealed half-familiar contours—the model of a face, a posture, a neural interval. A unique event would take place here. Without thinking, Travis murmured: "Elizabeth Taylor." Abruptly there was a blare of sound above the trees.

DISSOCIATION: WHO LAUGHED AT NAGASAKI? Travis ran across the broken concrete to the perimeter fence. The helicopter plunged towards him, engine roaring through the trees, its fans churning up a storm of leaves and paper. Twenty yards from the fence Travis stumbled among the coils of barbed wire. The helicopter was banking sharply, the pilot crouched over the controls. As Travis ran forward the shadows of the diving machine flickered around him like cryptic ideograms. Then the craft pulled away and flew off across the bunkers. When Travis reached the car, holding the torn knee of his trousers, he saw the young woman in the white dress walking down the lane. Her disfigured face looked back at him with indulgent eyes. Travis started to call to her, but stopped himself. Exhausted, he vomited across the roof of the car.

SERIAL DEATHS. During this period, as he sat in the rear seat of the Pontiac, Travis was preoccupied by his separation from the normal tokens of life he had accepted for so long. His wife, the patients at the hospital (resistance agents in the "world war" he hoped to launch), his undecided affair with Catherine Austen—these became as fragmentary as the faces of Elizabeth Taylor and Sigmund Freud on the advertising hoardings, as unreal as the war the film companies had re-started in Viet Nam. As he moved deeper into his own psychosis, whose onset he had recognised during his year at the hospital, he welcomed this journey into a familiar land, zones of twilight. *At dawn, after driving all night, they reached the suburbs of Hell. The pale flares from the petrochemical plants illuminated the wet cobbles. No one would meet them there.* His two companions, the bomber pilot at the wheel in the faded flying suit and the beautiful young woman with radiation burns, never spoke to him. Now and then the young woman would look round at him with a faint smile on her deformed mouth. Deliberately, Travis made no response, hesitant to commit himself into her hands. Who were they, these strange twins, couriers from his own unconscious? For hours they drove through the endless suburbs of the city. The hoardings multiplied around them, walling the streets with giant replicas of napalm bombings in Viet Nam, the serial deaths of Elizabeth Taylor and Marilyn Monroe terraced in the landscapes of Dien Bien Phu and the Mekong Delta.

CASUALTIES UNION. At the young woman's suggestion, Travis joined the CU, and with a group of thirty housewives practised the simulation of wounds. Later they would tour with Red Cross demonstration teams. Massive cerebral damage and abdominal bleeding in automobile accidents could be imitated within half an hour, aided by the application of suitable coloured resins. Convincing radiation burns required careful preparation, and might involve some three to four hours of make-up. Death, by contrast, was a matter of lying prone. Later, in the apartment they had taken overlooking the zoo, Travis washed the wounds off his

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hands and face. This curious pantomime, overlaid by the summer evening stench of the animals, seemed performed solely to pacify his two companions. In the bathroom mirror he could see the tall figure of the pilot, his slim face with its lost eyes hidden below the peaked cap, and the young woman in the white dress watching him from the lounge. Her intelligent face, like that of a student, occasionally showed a sudden nervous reflex of hostility. Already Travis found it difficult not to think of her continuously. When would she speak to him? Perhaps, like himself, she realised that his instructions would come from other levels?

PIRATE RADIO. There were a number of secret transmissions to which Travis listened: (*1*) medullary: images of dunes and craters, pools of ash that contained the terraced faces of Freud, Eatherly, and Garbo; (2) thoracic: the rusting shells of U-boats beached in the cove at Tsingtao, near the ruined German forts where the Chinese guides smeared bloody handprints on the caisson walls; (*3*) sacral: *VJ*-Day, the bodies of Japanese troops in the paddy fields at night. The next day, as he walked back to Shanghai, the peasants were planting rice among the swaying legs. Memories of others than himself, together these messages moved to some kind of focus. The dead face of the bomber pilot hovered by the door, projection of World War III's unknown soldier. His presence exhausted Travis.

MAREY'S CHRONOGRAMS. Dr. Nathan passed the illustration across his desk to Margaret Travis. "Marey's Chronograms are multiple-exposure photographs in which the element of time is visible—the walking human figure, for example, represented as a series of dune-like lumps." Dr. Nathan accepted a cigarette from Catherine Austen, who had sauntered forward from the incubator at the rear of the office. Ignoring her quizzical eye, he continued: "Your husband's brilliant feat was to reverse the process. Using a series of photographs of the most commonplace objects—this office, let us say, a panorama of New York skyscrapers, the naked body of a woman, the face of a catatonic patient —he treated them as if they already were chronograms and *extracted* the element of time." Dr. Nathan lit his cigarette with care. "The results were extraordinary. A very different world was revealed. The familiar surroundings of our lives, even our smallest gestures, were seen to have totally altered meanings. As for the reclining figure of a film star, or this hospital. . . ."

"WAS MY HUSBAND A DOCTOR, OR A PATIENT?" Dr. Nathan nodded sagely, glancing over his fingertips at Catherine Austen. What had Travis seen in those time-filled forbidding eyes? "Mrs. Travis, I'm not sure if the question is valid any longer. These matters involve a relativity of a very different kind. What we are concerned with now are the implications—in particular, the complex of ideas and events represented by World War III. Not the political and military possibility, but the inner identity of such a notion. For us, perhaps, World War III is now little more than a sinister pop-art display, but for your husband it has become an expression of the failure of his psyche to accept the fact of its own consciousness, and of his revolt against the present continuum of time and space. Dr. Austen may disagree, but it seems to me that his intention is to start World War III, though not, of course, in the usual sense of the term. The blitzkriegs will be fought out on the spinal battlefields, in terms of the postures we assume, of our traumas mimetised in the angle of a wall or balcony."

ZOOM LENS. Dr. Nathan stopped. Reluctantly, his eyes turned across the room to the portrait camera mounted on its tripod by the consulting couch. How could he explain to this sensitive and elusive woman that her own body, with its endlessly familiar geometry, its landscapes of touch and feeling, was their only defence against her husband's all-too-plain intentions? Above all, how could he invite her to pose for what

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she would no doubt regard as a set of obscene photographs?

THE SKIN AREA. After their meeting, at the exhibition of war wounds at the Royal Society of Medicine's new conference hall, Travis and Catherine Austen returned to the apartment overlooking the zoo. In the lift Travis avoided her hands as she tried to embrace him. He led her into the bedroom. Mouth pursed, she watched as he showed her the set of Enneper's models. "What are they?" She touched the interlocking cubes and cones, mathematical models of pseudo-space. "Fusing sequences, Catherine—for a doomsday weapon." Later, the sexual act between them became a hasty eucharist of the angular dimensions of the apartment. In the postures they assumed, in the contours of thigh and thorax, Travis explored the geometry and volumetric time of the bedroom, and later of the curvilinear dome of the Festival Hall, the jutting balconies of the London Hilton, and lastly of the abandoned weapons range. Here the rectilinear and circular target areas became identified in Travis' mind with the concealed breasts of the young woman with radiation burns. Searching for her, he and Catherine Austen drove around the darkening countryside, lost among the labyrinth of hoardings. The faces of Sigmund Freud and Jeanne Moreau presided over their last bitter hours.

NEOPLASM. Later, escaping from Catherine Austen, and from the forbidding figure of the bomber pilot, who now watched him from the roof of the lion house, Travis took refuge in a small suburban house among the reservoirs of Staines and Shepperton. He sat in the empty sitting-room overlooking the shabby garden. From the white bungalow beyond the clapboard fence his middle-aged neighbour dying of cancer watched him through the long afternoons. Her handsome face veiled by the laced curtains resembled that of a skull. All day she would pace around the small bedroom. At the end of the second month, when the doctor's visits became more frequent, she undressed by the window, exposing her emaciated body through the veiled curtains. Each day, as he watched from the cubular room, he saw different aspects of her eroded body, the black breasts reminding him of the eyes of the bomber pilot, the abdominal scars like the radiation burns of the young woman. After her death he followed the funeral cars among the reservoirs in the white Pontiac.

THE LOST SYMMETRY OF THE BLASTOSPHERE. "This reluctance to accept the fact of his own consciousness," Dr. Nathan wrote, "may reflect certain positional difficulties in the immediate context of time and space. The right-angle spiral of a stairwell may remind him of similar biases within the chemistry of the biological kingdom. This can be carried to remarkable lengths—for example, the jutting balconies of the Hilton Hotel have become identified with the lost gill-slits of the dying film actress, Elizabeth Taylor. Much of Travis' thought concerns what he terms 'the lost symmetry of the blastosphere'—the primitive precursor of the embryo that is the last structure to preserve perfect symmetry in all planes. It occurred to Travis that our own bodies may conceal the rudiments of a symmetry not only about the vertical axis but also the horizontal. One recalls Goethe's notion that the skull is formed of modified vertebrae—similarly, the bones of the pelvis may constitute the remains of a lost sacral skull. The resemblance between histologies of lung and kidney has long been noted. Other correspondences of respiratory and urinogenital function come to mind, enshrined both in popular mythology (the supposed equivalence in size of nose and penis) and in psycho-analytic symbolism (the 'eyes' are a common code for the testicles). In conclusion, it seems that Travis' extreme sensitivity to the volumes and geometry of the world around him, and their immediate translation into psychological terms, may reflect a belated attempt to return to a symmetrical world, one that will recapture the perfect symmetry of the blastosphere, and the acceptance of the 'Mythology of the

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Amniotic Return.' In his mind World War III represents the final self-destruction and imbalance of an asymmetric world, the last suicidal spasm of the dextro-rotatory helix, DNA. The human organism is an atrocity exhibition at which he is an unwilling spectator. . . ."

EURYDICE IN A USED-CAR LOT. Margaret Travis paused in the empty foyer of the cinema, looking at the photographs in the display frames. In the dim light beyond the curtains she saw the dark-suited figure of Captain Webster, the muffled velvet veiling his handsome eyes. The last few weeks had been a nightmare—Webster with his long-range camera and obscene questions. He seemed to take a certain sardonic pleasure in compiling this one-man Kinsey Report on her . . . positions, planes, where and when Travis placed his hands on her body—why didn't he ask Catherine Austen? As for wanting to magnify the photographs and paste them up on enormous hoardings, ostensibly to save her from Travis. . . . She glanced at the stills in the display frames, of this elegant and poetic film in which Cocteau had brought together all the myths of his own journey of return. On an impulse, to annoy Webster, she stepped through the side-exit and walked away past a small yard of cars with numbered windshields. Perhaps she would make her descent here, Eurydice in a used-car lot?

THE CONCENTRATION CITY. In the night air they passed the shells of concrete towers, blockhouses half-buried in rubble, giant conduits filled with tyres, overhead causeways crossing broken roads. Travis followed the bomber pilot and the young woman along the faded gravel. They walked across the foundation of a guard-house into the weapons range. The concrete aisles stretched into the darkness across the airfield. *In the suburbs of Hell Travis walked in the flaring light of the petrochemical plants. The ruins of abandoned cinemas stood at the street corners, faded hoardings facing them across the empty streets. In a waste lot of wrecked cars he found the burnt body of the white Pontiac. He wandered through the deserted suburbs.* The crashed bombers lay under the trees, grass growing through their wings. The bomber pilot helped the young woman into one of the cockpits. Travis began to mark out a circle on the concrete target area.

HOW GARBO DIED. "The film is a unique document," Webster explained, as he led Catherine Austen into the basement cinema. "At first sight it seems to be a strange newsreel about the latest tableau sculptures—there are a series of plaster casts of film stars and politicians in bizarre poses—how they were made we can't find out, they seem to have been cast from the living models, LBJ and Mrs. Johnson, Burton and the Taylor actress, there's even one of Garbo dying. We were called in when the film was found." He signalled to the projectionist. "One of the casts is of Margaret Travis—I won't describe it, but you'll see why we're worried. Incidentally, a touring version of Keinholz's "Dodge 38" was seen travelling at speed on a motorway yesterday, a wrecked white car with the plastic dummies of a World War III pilot and a girl with facial burns making love among a refuse of bubble-gum war cards and oral contraceptive wallets."

WAR-ZONE D. On his way across the car-park Dr. Nathan stopped and shielded his eyes from the sun. During the past week a series of enormous signs had been built along the roads surrounding the hospital, almost walling it in from the rest of the world. A group of workmen on a scaffolding truck were pasting up the last of the displays, a 100-feet-long panel that appeared to represent a section of a sand-dune. Looking at it more closely, Dr. Nathan realised that in fact it was an immensely magnified portion of the skin over the iliac crest. Glancing at the hoardings, Dr. Nathan recognised other magnified fragments, a segment of lower lip, a right nostril, a portion of female perineum. Only an anatomist would have identified these fragments, each represented as a for-

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mal geometric pattern. At least five hundred of the signs would be needed to contain the whole of this gargantuan woman, terraced here into a quantified sand-sea. A helicopter soared overhead, its pilot supervising the work of the men on the track. Its downdraught ripped away some of the paper panels. They floated across the road, an eddying smile plastered against the radiator grille of a parked car.

THE ATROCITY EXHIBITION. Entering the exhibition, Travis sees the atrocities of Viet Nam and the Congo mimetised in the "alternate" death of Elizabeth Taylor; he tends the dying film star, eroticising her punctured bronchus in the over-ventilated verandas of the London Hilton; he dreams of Max Ernst, superior of the birds; "Europe after the Rain"; the human race: Caliban asleep across a mirror smeared with vomit.

THE DANGER AREA. Webster ran through the dim light after Margaret Travis. He caught her by the entrance to the main camera bunker, where the cheekbones of an enormous face had been painted in faded technicolour across the rust-stained concrete. "For God's sake—" She looked down at his strong wrist against her breast, then wrenched herself away. "Mrs. Travis! Why do you think we've taken all these photographs?" Webster held the torn lapel of his suit, then pointed to a tableau figure in the uniform of a Chinese infantryman standing at the end of the conduit. "The place is crawling with the things—you'll never find him." As he spoke a searchlight in the centre of the airfield lit up the target areas, outlining the rigid figures of the mannequins.

THE ENORMOUS FACE. Dr. Nathan limped along the drainage culvert, peering at the huge figure of a dark-haired woman painted on the sloping walls of the blockhouse. The magnification was enormous. The wall on his right, the size of a tennis court, contained little more than the right eye and cheekbone. He recognised the woman from the hoardings he had seen near the hospital—the screen actress, Elizabeth Taylor. Yet these designs were more than enormous replicas. They were equations that embodied the fundamental relationship between the identity of the film actress, and the millions who were distant reflections of her, and the time and space of their own bodies and postures. The planes of their lives interlocked at oblique angles, fragments of personal myths fusing with the deities of the commercial cosmologies. The presiding deity of their lives, the film actress and her fragmented body provided a set of operating formulae for their passage through consciousness. Yet Margaret Travis' role was ambiguous. In some way Travis would attempt to relate his wife's body, with its familiar geometry, to that of the film actress, quantifying their identities to the point where they became fused with the elements of time and landscape. Dr. Nathan crossed an exposed causeway to the next bunker. He leaned against the dark décolleté. When the searchlight flared between the blockhouses he put on his shoe. "No. . . ." He was hobbling towards the airfield when the explosion lit up the evening air.

THE EXPLODING MADONNA. For Travis, the ascension of his wife's body above the target area, exploding madonna of the weapons range, was a celebration of the rectilinear intervals through which he perceived the surrounding continuum of time and space. Here she became one with the madonnas of the hoardings and the ophthalmic films, the venus of the magazine cuttings whose postures celebrated his own search through the suburbs of Hell.

DEPARTURE. The next morning, Travis wandered along the gunnery aisles. On the bunkers the painted figure of the screen actress mediated all time and space to him through her body. As he searched among the tyres and coils of barbed wire he saw the helicopter rising into the sky, the bomber pilot at the controls. It made a leftward

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turn and flew off towards the horizon. Half an hour later the young woman drove away in the white Pontiac. Travis watched them leave without regret. When they had gone the corpses of Dr. Nathan, Webster, and Catherine Austen formed a small tableau by the bunkers.

A TERMINAL POSTURE. Lying on the worn concrete of the gunnery aisle, he assumed the postures of the fragmented body of the film actress, mimetising his past dreams and anxieties in the dune-like fragments of her body. The pale sun shone down on this eucharist of the madonna of the hoardings.

Pigs (Four ways of looking at)

To Westacre Belle and Prestatyn Lucy

Scrubbed pink
They look the most naked of animals,
Except for the coarse hair,
Almost colourless and seen close to.
With ears like awnings over their small eyes,
They root with their blunt and specially
Gristled noses, their legs almost
Ridiculously delicate
For all that warmth and fertility.
Twelve or thirteen a time, is it?
She grunts to let them know they can feed.
Few are allowed to reach full size:
Boiled down they make excellent lard.

The delicate colouring
And firmness of line
Remind one
Of a water colour by Dürer,
As St. John and Socrates
Were at pains to point out:
Nature is always
Imitating art.

Domesticated since neolithic times
They are still indifferent to man.
Clumsy, sometimes bad tempered,
They can crack a leg by rolling on it
Or smother a litter. And those jaws,
Like clapper boards, that open as if
The face was falling apart,
Can make short work of a piglet
Or an arm.

In Chinese ideography,
A roof with a pig under it
Means home.

John Cotton

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Henry Kamen

Intellectuals on Trial

A Backward Glance at the Spanish Inquisition

WRITING in 1860 of the impact of the Inquisition on Spain, Lord Acton expressed the view that

> in Spain the dread of error was so great that it led to a fear of all mental activity. Literature was sacrificed to religion. Because faith might be imperilled by science, science was proscribed; and a system of stagnation was introduced, by which the Church was deprived of the aid which literature affords to her. The greatest severity was exercised over every branch of ecclesiastical learning.... The Inquisition did more than any other thing for the ruin of Church and State in Spain, by promoting political despotism and intellectual stagnation.

This harsh judgment, commonplace on the lips and pens of liberal historians for a century and more, is no longer fully tenable. The Holy Office, we now realise, was no enemy to literature and science as such, and it requires little effort to demonstrate that letters and culture flourished in precisely those centuries that witnessed its greatest activity. What remains true is that generations of intellectuals saw in the Inquisition a threat to their independence and creativity, and that the result of this tension between individuals and the tribunal cannot be discounted in any attempt to assess its effect on the cultural history of Spain.

The subject is of more than academic interest. The Spanish Inquisition was in its time the most successful and long-standing instrument of ideological control on record. For most of the period from its foundation in 1480 to its eventual abolition in 1834 it exercised an influence unparalleled in any European country before or since. Writers were stifled in Fascist Germany for barely over a decade, in post-Zhdanov Russia for no more than a generation: in Spain their protests can be traced over a span of three hundred years, and their voices are still being muffled.

The two great periods of intellectual crisis in Spain occur in the early 16th century and the late 18th century. Between these peaks there is a long undulating expanse of conformity, regression, and slow rebirth. The functions and significance of the Inquisition over this period have been outlined elsewhere: our present concern is solely with the special problem of intellectual responsibility in the face of repression, and creative integrity in the face of enforced conformism.

THE CRISIS OF THE early 16th century was not a purely Spanish phenomenon. In all countries where repercussions of the Reformation could be felt, liberal humanism was slowly and inevitably repressed. A Polish Catholic at the time spoke with contempt of one country where "reformation" could only be achieved by sacrificing the heads of the nation's two luminaries: Sir Thomas More and bishop John Fisher. In Spain no less than in Henrician England the principal humanists and intellectuals were imprisoned or saved themselves by exile. Erasmus himself, the doyen of European humanism, became a burden to those who had once vied for his favours, and in his old age he was hounded from Basle by the excesses of disrespectful and intemperate supporters of the Reformation. Restrictions were imposed on literature by censorship, first in the Netherlands and Rome, and then in other countries like England and Spain.

The distinctive feature of the Spanish crisis was the collapse of the Erasmian school. At its high-tide it had been championed by Cardinal

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Ximénez de Cisneros, by prelates and Inquisitors after him, and by the most eminent members of the academic world and of the court of the Emperor Charles V. From the 1530s the conservative reaction took its toll. The most eminent victims were professors and former members of the University of Alcalá, founded as a centre of humanist studies by Ximénez in 1508. Pedro de Lerma, Chancellor of the University from its foundation, was arrested, released, and later fled to France; Mateo Pascual was arrested in 1533, tried by the Inquisition of Toledo, released, and fled to Rome; Juan de Vergara, doyen of the humanists and once secretary to Ximénez, was arrested in 1530 and released from confinement only in 1537; Juan de Valdés, whose *Dialogue of Christian Doctrine* appeared in 1529, fled to Italy the following year when the Inquisition began enquiries into his orthodoxy. These cases, and many others like them, may justly be paralleled with the measures being taken against humanists in France, England, Italy, and the Netherlands. What was unique in Spain, however, was the systematic vigilance which came to be exercised over speech and writing, in the name of orthodoxy. Equally significant, most of the prosecutions initiated by the Inquisition were against men of Jewish origin.

CONVERTED JEWS, or *conversos,* had been from the beginning the principal target of the Inquisition in its attempts to preserve purity of race and religion in Spain. The enduring resentment of Jews against a faith into which they had been eventually coerced in 1492, may help to explain their participation in most of the heterodox movements of the 16th century. *Conversos* were to be found among the illuminists and among the small groups of Protestants discovered in Spain in 1558, as well as among the Comunero rebels in 1520. Not surprisingly, racialists attributed all apparent and imagined subversion to Jews. Philip II on one occasion expressed a conviction that "all the heresies which have occurred in Germany and France have been sown by descendants of Jews, as we have seen and still see daily in Spain." The prejudice was to prove fatal to the world of learning. The pre-eminent role of Jewish intellectuals in Spanish history became their undoing, as one by one they were singled out for persecution on the sole grounds of their race. In 1533 Rodrigo Manrique, son of the Erasmian Inquisitor General, wrote from Paris to the great humanist Juan Luis Vives, describing the fate of letters in Spain:

> It is clear that down there one cannot possess any culture without being suspected of heresy, error, and Judaism. Thus silence has been imposed on the learned. As for those who take refuge in erudition, they have been filled, as you say, with great terror.

Vives was particularly concerned about the fate of the *converso* Juan de Vergara. He himself had experienced the difficulties facing those of Jewish origin. Born in Valencia in 1493, Vives had been sent by his father to study in Paris in 1509, and never returned to Spain. Both his father and mother were Jews by birth, and continued to practise Jewish rites in secret. His father was arrested by the Inquisition in 1520 and burnt at the stake in 1524; his mother, who died in 1508, had her bones dug up and burned by the inquisitors in 1529. Vives knew that for a Jew the position in Spain was insecure, above all in the academic world. Further evidence of this came in the celebrated prosecutions at the University of Salamanca in the 1570s.

SALAMANCA with its four constituent colleges was the flower of the Castilian universities. Together with the University of Alcalá, it dominated intellectual life in Spain, and in the second half of the 16th century became a notable centre of Biblical studies. Academic rivalry and suspicion, internal dissension rather than external pressure, eventually split the teaching body. In December 1571, a Dominican friar at Salamanca complained to the Inquisition of Valladolid that "in this University there is great play about novelty, and little about the antiquity of our religion and faith." He ended by deposing accusations against three prominent professors of Holy Scripture, all of them distinguished scholars of Hebrew. The three were Gaspar de Grajal, Martin Martínez de Cantalapiedra, and Luis de Léon. The substance of the accusations was not new. It was said among other things that the three had claimed they could improve on the Vulgate translation of the Bible; that they had often preferred Jewish commentaries on Scripture to those of the saints; and that they had denigrated scholastic philosophy. The denunciations were shrugged off by the accused, who knew that similar false accusations had been levelled against the humanists at Alcalá two generations earlier. But the two

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Dominicans chiefly responsible for the denunciations, Bartolomé de Medina and León de Castro, the latter a Professor of Grammar, were unsparing in their campaign.

On 22 March 1572 Grajal was arrested by the Inquisition. He appealed to the inquisitors:

> Medina defamed and libelled me for propositions I did not make, and showed these propositions to several people in order to stir up the University, and had me arrested, deceiving your honours with empty words under the guise of religion.[1]

The protest was unavailing. Five days later Luis de León and Cantalapiedra were arrested. At the same time a Professor of Scripture at the University of Osuna, Alonso Gudiel, was taken into custody.

Anxious to be fair to an over-abused tribunal, historians have since pointed out that the arrests in question were engineered by academic hatred and not by the Inquisition; and that a moderate Inquisitor General, Gaspar de Quiroga, was then in power and secured the eventual release of one of the victims. The professors were more aware than anyone else that all this was true: as a result, they all looked naïvely to the Holy Office to defend them from falsehood and slander. Yet all failed to receive justice. Grajal rotted and died in the cells. Gudiel died in prison a year after his arrest. Luis de León, one of the finest theologians and poets in Spanish history, was incarcerated for four years and nine months. His colleague Cantalapiedra remained behind bars for five years and two months.

The papers of Luis de León's trial illustrate his reaction to the progress of proceedings.[2] "I have great suspicions that false testimony has been laid against me," he protested on 18 April 1572 to the inquisitors.

> To your office belongs the duty of effecting with time and diligence all that is necessary to find out and defend the truth and justice.... I have been in this prison eight, almost nine, months, and in all this time you have not published the names of witnesses nor given me opportunity for a full defence. It is certain that if, on the day I was arrested, you had presented me with the accusations, within nine hours my innocence would have been clear and apparent, as would have been the malice of my accusers. (*10 December 1572.*)

Over a year later he was still pleading for a simple but vital piece of evidence to be introduced. "For over one and a half years," he protested, he had asked for the presentation of this evidence: "but up to now it has not been done, as a result of which I have suffered and still suffer serious injustice, for as long as you do not wish to have the truth disabuse you, I shall continue under suspicion" (*11 January 1574*).

> I have now been in prison for forty months, and this only because two men who were notorious enemies of mine were intent on ruining me, and stated that they had suspicions of me; and since my imprisonment nothing has occurred to confirm these suspicions; rather, much has shown them to be empty and baseless, born of enmity; and in consequence my innocence has been made clear and plain.... Because of this I beg you to note the ill and harm I have suffered in my person and honour, and in the repute of my habit and order, without fault or cause; and the lengthy labours I have endured; and that, above all, I proved my innocence years ago. I beg you then to end my imprisonment and let me at least die at liberty among my brethren, now that my life has been taken away because you were willing to lend an ear to two men who used you to put their enmity into effect. (*14 July 1575.*)

Finally, in December 1576, the Inquisition acquitted him, with a warning to avoid controversy and to "exercise great moderation and prudence" in disputed questions. Cantalapiedra, who was acquitted the following year, lamented that his whole life and career had been destroyed "for no other reason than the enmity of the Dominican friars," and drew the moral that it was better in future to "walk carefully and with prudence" when it came to academic enquiry.

THE ACQUITTALS are of secondary importance. Why had eminent Hebrew scholars been victimised, and failed to secure justice for years on end, while their detractors moved about in complete freedom? The ostensible motives were personal jealousy, especially that of León de Castro towards his colleagues; and sectarian hostility shown by the Dominicans (who also controlled the Inquisition) to those not of their order. But even more significant is the coincidence that Grajal, Gudiel, and Luis de León were all of Jewish origin, and that Cantalapiedra, despite his own protestations, was accused of being one by hostile witnesses. The willingness of the Inquisition, which had been

[1] Miguel de la Pinta Llorente, *Proceso criminal contra el hebraista salmantino Martín Martínez de Cantalapiedra* (Madrid, 1946), p. lxxvii.

[2] *Colección de documentos inéditos para la Historia de España*, vols. X–XI (Madrid, 1847).

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founded to combat *conversos*, to act in this case becomes clearly comprehensible.

Another eminent humanist and scholar of probable Jewish origin, Benito Arias Montano, was in these years also attacked viciously by León de Castro and other academics. In 1573 he had published in Antwerp, at the command of Philip II, a new Polyglot edition of the Bible which could compare in glory with the famous Complutension Polyglot of 1522. In 1575 León de Castro had already begun a campaign of defamation against him; in addition, wrote Montano in 1579, there were in Spain many other "men of letters who seek to find and note some error in my writings, making extraordinary efforts to do so." In October 1579 he referred to "León de Castro in Madrid, raging and seeking to devour me, and calumniating me throughout the tribunals, courts, squares, churches, and monasteries...."

THIS ACCOUNT shows sufficiently that a reactionary nationalist party had begun to find its feet among academics. Hostile to humanism and to foreign learning, the universities fell rapidly under their influence. By the end of the 16th century, as the historian Vicente de la Fuente has shown, decadence had set in on the world of learning in Spain. Moreover, anti-Semitism became a key factor in this development. Learning was subordinated to racial prejudices more powerful than mere academic rivalry. It is significant that when León de Castro denounced some commentaries made by Luis de León on the Bible, he termed them *"comentos de judíos"*: they were not erroneous, nor even heretical; they were *Jewish*. In 1609 the devotional classic Luis de León had managed to write in his prison cell, *Los Nombres de Cristo*, was denounced by the Inquisition of Córdoba because of the author's attacks on racialism. "In this discourse," the inquisitor stated, "this father criticises the Holy Office of the Inquisition for punishing with infamy; he blames canon law for rendering infamous the descendants of those punished by the tribunal... and finally, he terms as error and bad counsel the practice of excluding *conversos* from office in churches and colleges, and wants everyone to be treated equally." Private individuals were also conditioned by the anti-Semitic attitude of inquisitors like this. In 1575 Arias Montano published in Antwerp, with an *imprimatur*, the text of a 12th-century travel narrative made by a Spanish Jew. The contemporary owner of a copy of the book which has survived, carefully excised from it all favourable references to Jews. The phrase *Judaei virique boni ac misericordes*, for example, was deleted.[3]

It is clear that intellectuals would have had to protect their integrity against social prejudices and academic bigotry. To many humanists, however, the most alarming aspect of the situation was the failure of the Inquisition to defend scholars who were obviously being victimised. As the Jesuit historian Juan de Mariana commented:

> It was a sad state when virtuous men, because of their great achievements, had to undergo hostility, accusations and injuries from those who should have been their defenders.... The case in question [that of Luis de León] depressed the spirits of many who observed the plight of another, seeing how much affliction threatened those who spoke freely what they thought. In this way, many passed over to the other camp, or trimmed their sails to the wind. What else was there to do? The greatest of follies is to exert oneself in vain, and to weary oneself without winning anything but hatred. Those who agreed with current ideas did so with even greater eagerness, and entertained opinions that were approved of and were the least dangerous, without any great concern for the truth.

The importance of the case of Luis de León, then, cannot be minimised. It was obvious with the years, with the collapse of Erasmianism and then with the gradual decline of liberal studies under the Habsburgs, that academic freedom was gravely compromised. Rodrigo Manrique had in 1533 spoken of those who took "refuge in erudition" in the belief that they could dissociate themselves from politics by devotion to scholarship. But, as Manrique also emphasised, scholarship itself appeared to some as evidence of Judaism, in view of the eminence of *conversos* like Luis Vives and Vergara.

AN EVEN MORE COMPROMISING observation was made at this time by Cipriano de Valera, the exiled Spaniard who became a leading Reformer and translator of the Bible. He said on one occasion that "it has become proverbial in Spain, when they speak of a learned man, to say: He is so learned that there is a danger of his becoming a Lutheran." The statement, if a true one, illustrates the natural reaction to the

[3] Albert Mas, "Un exemple d'antisémitisme au siècle d'or," in *Mélanges offerts à Marcel Bataillon par les Hispanistes français* (Bordeaux, 1962), pp. 166–74.

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number of eminent scholars who at some time saw the inside of the secret cells of the Inquisition. But the equation of learning with heresy was of course insupportable for scholars. At least one humanist, writing in 1566 to his friend Jerónimo de Zurita, annalist of Aragon and secretary of the Inquisition there, confessed that the double standard demanded of him was unbearable; if his classical knowledge equipped him to correct an error in Cicero, the same knowledge also enabled him to correct the same error in the Latin Vulgate, which, naturally, he was not permitted to do: "this and other similar problems drive me insane, and often take away from me any wish to carry on."

THE DILEMMA of intellectuals was a bitter one. On the one hand, they suffered pressure and persecution from reactionaries, often motivated by racialism. On the other, they were subdued by their own caution into undertaking no novel enquiries that might compromise them. The "moderation and prudence" enjoined on Luis de León, the "prudence" accepted by Cantalapiedra, became norms of conduct. By its failure to remain impartial, rather than by any direct initiative of its own, the Inquisition helped to cow individuals into submission. They were few who fled abroad as the Protestant Cipriano de Valera or the Erasmian Pedro de Lerma had done: other countries also had restrictions of their own. The alarming thing, however, is not the mood of resignation which overtook many scholars, so much as their conscious defection to the conservative side. "Many passed over to the other camp," we are told by Mariana. The whole passage cited from this historian is a standing indictment of an intelligentsia losing its conscience in an era of crisis. The minority voice of Luis de León and others, rings out more clearly for the defection of the majority.

Were they perhaps justified by events? What is certain is that this voluntary silence soon left its mark on Spanish learning. Classical studies declined in Castile. Erasmus became little more than a memory, all his books being rigorously prohibited. Medicine, the profession most associated with Jews, fell into decay. Mathematics virtually disappeared from the syllabus at Alcalá and Salamanca. One of the last important prosecutions undertaken by the Inquisition at the end of the 16th century was against another professor at Salamanca, Francisco Sánchez, *"el Brocense,"* who spent his life intemperately denouncing scholastic philosophy and upholding the Erasmian banner. Despite Brocense's efforts, speculative humanism was replaced in the halls of academe by the cumbersome apparatus of an unquestioned scholasticism.

THE SYSTEM of silence which came to typify much of Spanish academic life may justly be blamed on the universities. It was all the more reprehensible in that no serious steps were ever taken by the Inquisition to restrict science, and no official ideology was protected by the Holy Office. Obviously heretical works were forbidden in Spain by the Index of prohibited books, just as they were banned in most Catholic and Protestant countries. But the censorship in the 16th century was often operated by men of intelligence, and purely scientific works, even by non-Catholics like John Kepler and Tycho Brahe, were allowed to circulate almost without impediment. The doctrines of Copernicus were part of the university syllabus at Salamanca at a date, 1594, when they were still controversial in the rest of Europe. Yet, as we know, the teaching of astronomy soon decayed at Salamanca. The fact is that, in a restricted and closed society, voluntary conformism extended itself even to the sciences. Good evidence of the self-censorship accepted by orthodox Catholics may be found in the fate meted out to a folio edition of Shakespeare owned by the English College in Valladolid. In this copy, all favourable references to Archbishop Cranmer in *Henry VIII* were struck out. Adjectives such as "virtuous" and "good" were removed if they referred to him, and when the King tells the courtiers to "use him well; he's worthy of it," the last clause was deleted. This act of censorship was made not by the Inquisition but by one of the English fathers in residence.

It is true that the greater part of foreign literature in speculative philosophy was forbidden to Spaniards, but this is of small moment beside the fact that ordinary works of creative literature, theology, and experimental science were at all times free to those who wanted them. The import of books into the country continued. Official censorship interfered in a score of clumsy ways with literature, often claiming to do so with benefit, by excising passages of banality, irreverence, or empty rhetoric and fantasy. One or two great writers, including

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Góngora, Cervantes, Quevedo, and Mariana himself, had to suffer expurgations. But though individual writers were often conscious of restrictions on their work, nothing even approaching tyranny over literature was exercised.

MOST SURPRISING OF ALL, an enormous amount of liberty was granted to those who dealt in political issues. The 16th and 17th centuries are the great age of political thought in Spain. Political criticism was an accepted feature of Spanish government in the 16th century. The great debate over the treatment of American Indians took place with complete outspokenness. When Juan de Zumárraga, the Franciscan bishop of Mexico, heard that royal permission had been granted for the enslavement of Indians, he protested to the Emperor Charles V: "If it is true that Your Majesty has granted permission for this, you should, out of reverence to God, do humble penitence for it." Zumárraga's friend Las Casas, the apostle of the American Indians, was allowed complete freedom throughout his life to publish and denounce everyone connected with the ill-treatment of natives in America. Such freedom was absolutely necessary, for if it were not permitted, said the contemporary historian Antonio de Herrera, "the reputation of Spain would fall rapidly, for foreign and enemy nations would say that small credence could be placed in the words of her rulers, since their subjects were not allowed to speak freely." In the great debate between Las Casas and the humanist Sepúlveda, held at Valladolid in 1550–51, complete freedom to state their case was given to both sides. Similar freedom was granted at a later period to critics of government policy.

But by the beginning of the 17th century frankness was dying away. In the preface to his *History of Spain,* Mariana wrote in 1601 that "no one dares to tell kings the truth." He was one of the few who put pen to paper in an effort to set the record straight. Yet it would be unwise to credit the lack of frankness to repression alone. Mariana's *History* circulated without restraint. At precisely the same time Cervantes was writing his immortal *Quixote,* a work of unrestrained liberal humanism, from which only one sentence was ever censored by the Holy Office.[4] Cervantes was even allowed to let one of his characters, the *morisco* Ricote, compare Spain unfavourably with Germany where "one could live in greater freedom, for its inhabitants pay little attention to refinements: every one lives as he pleases, for most of them enjoy liberty of conscience."

THE PICTURE SO FAR is more complex than might at first sight appear. It has always been a difficult paradox that the age of absolutism and Inquisition in Spain was also the golden age of culture and the arts. For much of its substance the paradox rests on the belief that the Inquisition operated a systematic repression of thought, whereas it seems more likely that beyond its initial anti-Semitic and anti-humanist drive, before which the intellectual world crumbled, it limited its activity to an overseeing of literature. This allowed considerable latitude to those who cared to utilise it.

In the academic world, however, the pedantic restrictions imposed by reactionary authorities destroyed respect for the universities. By the 17th century it became quicker to buy a degree than to work for it. Alcalá complained to Philip V in the early 18th century that "nobody wishes to go through the painful process of the courses in order to get the bachelor's degree. One can buy a degree in those universities that sell them, and become incorporated into ours." The centres of learning remained centres of reaction just at the time that a new sense of discontent was breaking through the deadened crust of conformism. From the mid-17th century onwards the literature of protest began to express itself against economic misery, social injustice, clerical backwardness, even against the Inquisition and the Habsburg monarchy. It prepared the way for the revaluations of the 18th century.

THE EIGHTEENTH-CENTURY conflict between the Enlightenment and conservatism saw the re-birth of intellectual responsibility. Whereas in the 16th and early 17th centuries the intellectuals had acquiesced in restrictions which many of them accepted as necessary, by the late 17th century the new intelligentsia, aware that conformism in Spain had condemned the country to generations of ignorance, came out openly against old orthodoxies.

One of the first academic professions to recover was that of medicine. In 1697 a Medical Society was formed in Seville. Its five original

[4] The sentence was: "Works of charity done tepidly and laxly have no merit and are worthless." *Quixote,* part II, ch. 36.

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members met in the house of one Doctor Juan Muñoz de Peralta and discussed medicine, physics, and natural history. The University of Seville accused it of teaching "doctrine contrary to that of Aristotle, Galen, and Hippocrates."[5] Neither the Inquisition nor the government took part in the campaign of defamation. In May 1700 Charles II gave the Society his official approval, and the next king, Philip V, took it under his personal protection in October 1701.

The medicine taught at this time in the universities was uniformly obscurantist. This applied to most disciplines. As late as the mid-18th century the University of Salamanca was firmly opposed to any alterations in its philosophy syllabus. "The modern philosophers," it asserted in 1770, "are of no use in promoting our aims. For example, although the principles of Newton help the student to become a perfect mathematician, they do not teach him to become a logician or a metaphysician. As for those of Gassendi and Descartes, they do not accord as well as Aristotle with revelation." Of the thirty-three professorial chairs in Salamanca at this date, twenty-nine were vacant. In view of such backwardness, it need cause no surprise to learn that French Dominican refugees to Spain at the end of the century were amazed to find, in their own phrase, that they had left France at the end of the 18th century and arrived in Spain in the middle of the 14th.

Intellectual decline had not left the Inquisition unmarked. The reforming minister of Charles III, Jovellanos, condemned the inquisitors as "ignorant and incapable of judgment." When it came to censoring books being imported from France, the inquisitors at the Spanish border complained to their superiors that they lacked "theologians with a knowledge of the French language." Small wonder that an institution which had once prided itself on its capacity to direct religion and culture should now be reduced to a pedantic and reactionary hostility towards new learning.

The case of Luis de León remained in the minds of 18th-century writers. In his *Moroccan Letters,* modelled on Montesquieu's *Persian Letters* and published posthumously in 1789, the writer José Cadalso outlined the perils which now faced all original thought in Spain. After referring to Luis de León, Cadalso observed:

> The Spaniard who today publishes his own works does so with extreme prudence, and trembles when the hour of publication approaches. No matter how pure his intentions, he always has to fear the blows of destiny.... Many books worthy of praise still remain hidden. I frequent few people, but I can state that some of them would be able to publish, on every sort of science, precious manuscripts which now lie gathering dust. I can assure you that for every leaflet published, a hundred others are kept back.

This would seem to be a repetition of the old circumspection. The situation was, however, materially different from that of earlier epochs. The 18th-century Inquisition was a powerful reactionary body, allied closely to conservatives in Church and State, and an essential component of Bourbon despotism. It had exhausted its anti-Semitic activities to become a sworn opponent of the French Enlightenment. Despite the widespread progress of enlightened thought among the ruling classes, particularly under Charles III, the Holy Office could still strike hard on occasion. The sanguine hopes of liberals for unimpeded reform were shattered by the *cause célèbre* of Pablo de Olavide.

Pablo de Olavide was one of the most prominent reforming ministers of Charles III.[6] He was an administrator in Madrid until his appointment in 1767 to the post of intendant of Andalucia. He was also responsible for an important plan of educational reform. A committed supporter of the Enlightenment, whose intellectual training had been carried out largely in France, Olavide was an obvious choice of victim for the Inquisition, at the time hard-pressed by the hostility of government ministers. Olavide's arrest in 1776 on a charge of heresy and atheism shocked the intelligentsia both inside and outside Spain. In 1778 he was eventually brought to trial and sentenced to banishment from Madrid and eight years' confinement in a monastery.

There is no doubt that Olavide had invited recrimination. During his term of office in Seville he had criticised and mocked popular superstitions, had criticised public recitations of the rosary, and had urged people to spend their money on developing their land rather than on building shrines. "What we need is a bit of Mahommedanism in Spain!" he is reported to have said on one occasion. His reactions on being denounced were a mixture of naïve confidence, and fear. Writing to the Minister of Justice in 1774, he said: "I am not a man to flee

[5] Gaspar Melchor de Jovellanos, *Obras* (5 vols., Madrid, 1963), I, 279.

[6] Marcelin Défourneaux, *Pablo de Olavide ou L'Afrancesado, 1725–1803* (Paris, 1959).

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abroad; I am sure enough of my innocence not to be afraid, and there is enough justice in this tribunal for me to put my confidence in it." Similar sentiments had been expressed by Luis de León. Olavide went on to say: "You know what an indelible mark is left, in our country, by the fact of being involved in anything concerning religion, and having given rise to an enquiry on the part of a respectable tribunal which, by the sole fact that it throws some doubt on an individual's conduct, leaves a mark of infamy not only on him but on all his family and posterity."

Olavide returned to Madrid just before his arrest and hastily tried to disculpate himself. One witness reported finding him in tears before a crucifix, saying: "You know, Lord, that in my heart I have never defected from Your Holy Faith." In April 1776 he destroyed the most compromising books in his library, including all the works of Voltaire. This was not enough to save him.

These reactions of Olavide are of exceptional interest in showing us the attitude of a leading *ilustrado* to the Inquisition. For the most notorious adherent of the Enlightenment to crumble in this way before the Holy Office was indicative of the difficulties facing reformers at the height of the period of enlightened despotism in Spain. Olavide's later history was even more exemplary. In 1780 he fled to France, with the probable connivance of his captors and the Inquisition. There he showed that his repentance was sincere, or, from another point of view, that his spirit had been broken. Though at liberty, he continued to carry out the penances assigned him by the Inquisition. In 1796 he wrote a frankly conservative religious apologetic entitled *The Triumph of the Gospel.* At the same time he denounced the "horrible revolution in this country," and fled to Spain in 1798, to be welcomed as a veritable saint by the tribunal which had once condemned him.

ANOTHER PROSECUTION of this period illustrates the hostility of the Inquisition to new ideas. This was the case of Ramón de Salas, Professor of Jurisprudence at the University of Salamanca.

In 1786 he was denounced in his native Aragon. One of the witnesses, a doctor, claimed that Salas had said "that as a good Catholic he believed in the existence of God and the creation of the world and of men, but that there were no perfectly rational grounds to convince his understanding of it; and that all those who had taken up the pen to attack the doctrine of modern philosophers had written feebly." Of the Creation Salas had said "that as the Iliad of Homer was formed of a certain conjunction of letters, so the world had been formed of a certain conjunction of atoms." No action was taken against him for ten years. Then, in 1796, after several denunciations including those by fellow lecturers and professors at Salamanca had been made against him, Salas was arrested and sentenced by the Inquisition to banishment from Madrid and Salamanca for three years, and confinement in a monastery for one year. Within a month of the sentence, it was quashed by the government, which decided that a miscarriage of justice had occurred.

The success of ministers in saving Salas where they could not save Olavide was a measure of the declining power of the Holy Office. The position of intellectuals was, however, at no time very easy. Before the French Revolution they had to reckon with the power of the Inquisition: after the Revolution they had to face the rigorous control exercised by a government which refused to let republican or democratic propaganda disturb the Spanish people. At all times, therefore, deception continued. "There are many in Spain," wrote Cadalso on the basis of a visit to Salamanca in the 1770s, "who learn thoroughly by themselves the true positive sciences, study Newton in their rooms, and teach Aristotle from their chairs." It is difficult to condemn such caution. Progress towards the emancipation of thought was slow, but the liberals in the government were certain of ultimate success, *provided* that nothing drastic was attempted against the Inquisition, which was universally regarded as the personification of reaction. To attack the Inquisition directly, as Jovellanos pointed out, would be to "lose everything. The result would be what has happened before: one would consolidate its foundations still more and render its system more cruel and treacherous."

FOR SOME the self-enforced silence was agonising. One Frenchman resident in Spain became outraged at a suggestion by the traveller and historian Bourgoing that orthodox Catholics need not fear the Holy Office. "Without doubt," he cried,

> the author . . . has not lived under the yoke of the Inquisition and suffered as I have for fifteen years the frightful state of not daring to confide

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> even in one's wife for fear that some insidious priest would make her an informer despite herself. I recall with sorrow . . . that for fifteen years, in order to avoid this misfortune and others still worse, I indulged in all the puerilities which, echoing their priests, good credulous Castilians call devotion.[7]

The hope of intellectual freedom depended on the action of the State. It had been the policy of the ministers of Charles III to rely for reforms on the apparatus of enlightened despotism, and to ignore the Inquisition as far as that seemed safe or possible. In the course of the 18th century the last rampart of inquisitorial discipline—censorship—was taken over by the government, who thereupon became the sole licensers of books. In 1768 a royal decree reaffirmed censorship control by the State, allowed the circulation of books until judgment had been passed against them, and made all book prohibitions subject to government approval. In 1773 the right to issue an *imprimatur* was taken away from the bishops, and was vested in the government. The State was still obliged, however, to respect the Index issued by the Inquisition, and so long as the Holy Office continued to exercise influence its taste in literature was final.

The great breach in the wall was made firstly by the flood of revolutionary literature sent into Spain after 1789, and then by the French occupation of the peninsula. As the Inquisition declared in July 1815, in a futile decree ordering the confiscation of all forbidden books:

> It is notorious throughout Spain that among the evils brought on us by the enemy invasion of 1808, and the absence in captivity of our beloved monarch, not the least has been the liberty to think and write with such licence that for the last five years our pious and Catholic nation has been inundated with pamphlets, newspapers, leaflets and perverse writings which passed from hand to hand, to the ruin of souls.

With the definitive suppression of the Spanish Holy Office in 1834, liberals were assured of unrestricted freedom to publish and think as they wished. The habit of censorship, however, continued to exist in régimes of the 19th and 20th centuries which deferred to the ideology of the heirs of the Inquisition.

THE SITUATION of intellectuals in the 18th century was radically different from that in the 16th, but in both epochs a similar choice between conformism and protest faced the individual. The difficulty in the earlier period was that to protest against anti-Semitism was futile when all the authorities supported racialism; to protest against the persecution of humanists was impolitic when humanism had compromised itself with Lutheranism; and to protest against censorship was unthinkable when all other European countries had accepted restrictions on academic life. Conformism meant a necessary compromise in an age of crisis. What is inexplicable is that within two generations Spanish academics had accepted, apparently freely, since the Inquisition did not directly hinder them, a divorce from the main currents of international philosophy and science.

Perhaps many of the leaders of both humanism and the Enlightenment were themselves too conservative to give a lead to others. Almost without exception, the humanists of the 16th century were either socially conservative or too purely immersed in learning to identify themselves with political protest. In the 18th century Olavide, the principal martyr of the Enlightenment, became an opponent of the French Revolution and a true believer in orthodox piety. Jovellanos was typical of his reformist colleagues in denouncing all rebellion against the established order. Floridablanca, enlightened minister and enemy of the Jesuits, was the man who after the French Revolution engineered an alliance with the Inquisition to crush social discontent.

The tragedy of the 17th century was that the "prudence" imposed on Luis de León became a millstone to crush intellectual initiative. All the humanist intellectuals condemned anti-Semitism, and looked on the loss of liberty as "the most wretched slavery and equal to death" (to quote Mariana). But beyond that, they could not go. The Spanish Jesuits, thanks to their internationalist outlook, were almost the only body opposed to racialism and censorship. Few others dared to speak out. Neither then nor in the 18th century would there be voluntary heroes, nor were there to be many (apart from the Protestants) who preferred exile to the faith of their Church and the soil of their own country.

Did they have a responsibility which they left unfulfilled? "The damage suffered by philosophy," the pioneer of the Spanish Enlightenment, Feijóo, was to point out in the early 18th century (meaning by "philosophy" the whole range of learning), "after being

[7] Richard Herr, *The Eighteenth-Century Revolution in Spain* (Princeton, 1958), p. 166.

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oppressed by the yoke of authority for so many centuries, is incalculable." Somewhere along the line the humanists failed in, or were prevented from, handing on the learning of the Renaissance. The result was that the rage for knowledge of a later generation glutted itself on any foreign novelty, so long as it was foreign, and novel. But the "prudence" of the 18th century was that of intellectuals who knew that the future was on their side, and that they could afford to wait because the whole of Europe was with them in their patient struggle against obscurantism.

THE RELEVANCE OF THESE OBSERVATIONS is direct enough for our time. Should the individual conform to circumstances or does he have the right, perhaps the responsibility, to choose protest, persecution, and exile? Exile is for the few: "a departure beyond the borders of my country would for me be equivalent to death," wrote Boris Pasternak. Persecution has been avoided by those who have kept silence at home and published abroad. Some in this number, like Sinyavsky and Daniel, have no doubt always been aware of a choice between two Calvaries—that of the voluntary silence which kills the soul, and that of the open word which leads to martyrdom.

It is no accident that these examples should come from Russia. In Spain the intellectuals have long since committed themselves, but in Russia they are emerging from the twilight of official conformism to new awareness of a moral responsibility unconnected with ideology. Both countries have a long history of intellectual repression and cultural greatness. In both the *trahison des clercs* perpetrated under the Inquisition and during the *Zhdanovshchina* period is being redressed.

Moonlight

I cannot read Pliny without terror.
It seems that in trees the sap
Moon-governed, rising and falling
In absolute surrender, and if trees
Then the menstrual pattern reconverts
Some rhythms into human sap continuously
For the night's silver thermometer.
Easy to knock off branches in your sleep,
Overturn and sever the whole trunk,
But how to stop the perpetual bleeding?
I cannot tell, but so much is clear,
Freewill is simply another carnal proverb
Of worthless minds. A man standing,
Leaning at a gate waiting, a frugal décor,
Either in some northern city of steel vegetation
Or in the ungovernable brilliance
Of an island, at the same gate the same man
Waiting can be seen less as animal
Than mineral, a besotted cistern
For wine or blood, ebbing or flowing,
Waxing and waning in the ungovernable fury
Of something's phosphorescence. Yet he waits,
He simply waits and smokes and goes on waiting,
You know why, you know when, you know for whom.

Lawrence Durrell

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Frank Norman

Banana Boy

Footnotes to a Dossier

APART from the omission of several names, this is the first page of my Dr. Barnardo's dossier:

JOHN FRANK NORMAN. (*Illegitimate.*) *Admitted 24.3.1937.*
BORN: *9.6.1930 at Whiteladies Road, Bristol.*
BAPTISED: *C. of E. No particulars. Mother C. of E.*
LAST SIX MONTHS ADDRESS: *c/o Mrs. A., Prittlewell, Southend-on-Sea.*
LAST SCHOOL ATTENDED: *Barnes Private School, Church Road, Barnes.*

PAYMENT:	PERIOD:	AGREEMENT:	INFORMATION:
See Below.	*Six Months probation.*	*None.*	FROM: *Report (Kim)*

APPLICANT: *Lady W., Onslow Square, South Kensington.*
MOTHER: *Beatrice Spence Smith née Norman (30); health was good; character indifferent. separated from her husband; last known address—Hudds Vale, St. George's, Bristol.*
FATHER: (*Putative*): *Frank Charles Booth (35); Engineer; £800 per annum; M.; "Netherleigh," Highfield, Llandaff, Cardiff. Not affiliated.*
MOTHER'S HUSBAND: *Vernon Leslie Smith; married the mother 24.1.31 at Bristol Register Office; no other particulars.*
HALF-BROTHER OR SISTER: *Child of the mother's marriage, no other particulars.*

BARNARDO'S HOMES *celebrated their centenary last year, and here one "old boy" takes a personal glance backwards a little late, not to spoil the celebrations.*

After his release from Camp Hill Prison, Frank Norman did finally try his hand at a trade—at writing. His first magazine article appeared in ENCOUNTER *("Corrective Training." May 1958). He has since published five books, including* Bang to Rights *(1958),* Stand On Me *(1960), and recently, with photographs by J. Bernard,* Soho Night and Day *(all published by Secker & Warburg). His musical comedy* Fings Ain't Wot They Used T'be *was a London success in the production by Joan Littlewood.*

THE MOTHER *is described as an adventuress. At the time she met the putative father, she was a secretary at some works. She married in 1931, and her present address is unknown. When last heard of, two years ago, she had separated from her husband, and the child of the marriage was boarded out.*

THE PUTATIVE FATHER *is the son of a managing director of an Engineering Works, and is very well-off financially. After John was born, the putative father paid the mother through a solicitor the sum of £300 in order to clear his name. Later the mother made herself a nuisance, and in June 1933, Mr. Buttle, of the Church of England Adoption Society, was asked by the putative father's mother to get John adopted. For a short time the putative father paid £1 per week, while John was in the Society's Home at Kingsbury. John was sent to several people, with a view to adoption, but each time he was returned with such excuses as being untruthful, dishonest, and unintelligent.*

TWO YEARS AGO, *applicant, who is Roman Catholic, made herself responsible, through the Adoption Society, for the maintenance of John, but did not legally adopt him. He was boarded out by applicant with a Mrs. A., at Prittlewell, Southend, for about eighteen months prior to last September. He was then brought to London and handed over to the care of a Mr. and Mrs. M., White Hart Lane, Barnes, who contemplated adopting him. On 12.2.37 Mr. M. took him back to applicant, as not being suitable. He has remained in her care ever since. Applicant states she cannot afford to keep John, and there are reasons why she cannot keep him, but she wishes to keep in touch with him. When our officer called, the conditions in applicant's home were not at all good, and it was reported that John should not be allowed to remain there a day longer than necessary.*

JOHN *is a weak-looking child, and mentally backward, but he has never had a chance, being pushed about from pillar to post. At school he was said to be quite docile and friendly. The putative father should be persuaded to contribute regularly towards John's maintenance....*

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I REMEMBER the day that I was delivered to Barnardo's. I cried my heart out. For a small boy of seven years it seemed like the final straw.

As far as I know Lady W. did not keep in touch, and there is no record of Mr. Booth contributing to my maintenance.

So, life in the HOMES began and so did the dossier. An extract from my medical record dated the same day as admission reads:

> *Height* 45½ inches. *Weight* 48¾ lbs. *Measles:* No. *Scarlet Fever:* No. *Diphtheria:* No. *Whooping Cough:* Yes. *Teeth:* F/G. *General Physique:* F/G. Lymphatic Gland. *Mental Condition:* Backward (does not know letters). *Disposition:* ? GRADE B.2.

On 3 April 1937 I was transferred from Barnardo's headquarters in Stepney to their home for "Backward" children at Bedford. It had the rather austere name of Cardington Abbey. I was accompanied on the journey by a frightening matron, dressed from head to toe in black. I remember boarding the train but nothing of the journey, until we reached our destination, where we were met by another matron dressed from head to toe in black. The second one took over responsibility for my delivery to the Home; the other one took the next train back to London.

My first impression of Cardington Abbey was a mixture of awe and curiosity. What manner of place was this that I had been brought to, against my will, and why? The reception hall was vast. As I came through the front door, I was faced with a huge stained glass window, depicting Jesus and several apostles. The floor was tiled and a great oak stair-case led up to a gallery, off which were several rooms (serving as the children's dormitories). Several idiot-looking children (boys and girls) appeared in the gallery and stared down at me over the banister rail.

The head mistress was a Scots lady named Miss Duke, who owned a vicious Pekingese dog which she wore over her shoulder like a mink stole. When any of the children attempted to stroke it, it snapped and snarled frantically.

Life at Cardington Abbey was uneventful. There were classes every day, at which I learned the alphabet parrot fashion, chanting it over and over in a high pitched soprano voice. "A B C D E F G (*change of key*) H I J K L M N O P (*repeat last five letters*) L M N O P Q (*change of key*) R S T U-V-W-X-Y-Z ! !" "Once more, children," the mistress would say, as she conducted us with a pencil as baton. I was slow to learn my three *R*'s, but was good at history and could reel off the names of the Kings and Queens of England, also the clergy, statesmen, soldiers and sailors after only a glance at their pictures in the history books: "Henry VIII. Captain Cook. Thomas Abecket. Bonny Prince Charley. The Venerable Beed. The Iron Duke. The Black Prince. Robert the Bruce. King Arthur. Oliver Cromwell. . . ." It was a game I loved to play.

During the next five years I had Schick and Dick Immunisations, caught measles and chicken pox, trod on a rusty nail which pierced the instep of my left foot, and had to be immunised against typhoid and tetanus. I fell in love with a girl called Irene and became the best fighter in the school.

I WAS WELL AWARE that the Bedford Home was for "Backward" children and in protest I would, on occasions, run around the lawn outside Miss Duke's window *backwards*. This infuriated her greatly and she regularly applied the hair brush to my bare bottom. This was not a punishment for running backwards; the reason given was that I was out of bounds. I also had quite a lot of trouble over not eating the food, which was wholesome but nasty. The day I dreaded most was Thursdays, for that was the day we had tripe for lunch. I have since learned to consider this dish as at best an acquired taste but in those days I thought it absolutely revolting, indeed the very sight of it made me retch. There was a rule that whatever one did not eat at one meal was given back to you for the next. The guilty child was also made to stand, in the cold stone passage outside the head mistress's office, holding the uneaten meal in his hand until the next meal time. He would then be made to take his plate into the dining room, and sit with it in front of him, whilst the other children ate something delicious, like bread and jam or fish cakes. I spent every Thursday afternoon standing in the passage, holding my uneaten dish of congealed tripe in my hand. There was one little boy who could not eat the porridge that we were given for breakfast every morning and as far as I can remember he spent his entire life standing in the passage. I was once so hungry that I stalked into the kitchen and stole a handful of raisins. Unfortunately the cook appeared and caught me red-handed as I forced them into my mouth. As a punishment for this, I was brought before the assembled school at evening prayers, and was made to drink salt water until I vomited.

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EMPIRE DAY was the best day of the year. There were no classes, a pageant was organised by the games mistress, and a fete was held on the front lawn. The boys and girls dressed up in cardboard armour and period dresses, singing: "*And did those feet in ancient time, walk upon England's mountains green. And was the Holy Lamb of God* . . . etc," at the tops of our voices. We walked in procession around the rose-beds, bearing the standard of St. George, and delighted the visitors from the outside world.

Christmas Day was also nice. There were presents (donated by charitable organisations), we sang carols lustily, and there was no standing in the passage for not eating your Christmas dinner.

When the war broke out in 1939, there was a lot of activity at Cardington Aerodrome just up the road. Tanks lumbered past the gates of the Abbey, and for days on end convoys of lorries roared by full of soldiers, who threw us pennies, and we waved at them and wished them luck. I was convinced that the war was going on just up the road at the Aerodrome.

As the battle raged in Europe, our classes took an interesting turn. A large map of the Continent was pinned to the wall, and each day the mistress stuck little flags on it, black for the Germans and red for the Allies, to denote the progress of each. I was quite sure the Germans would win the war, as the Axis forces advanced into one European country after another. The map became a mass of black flags and not a red one in sight. On days when I felt that I was being particularly badly treated, I wished the Germans would hurry, for I felt sure they would release me from my torment. We listened to Churchill's speeches, and were told by Miss Duke that all would be well, so long as he was running things. She was, at least, right in that.

My report to the General Superintendent of Barnardo's from Miss Duke reads: "BEHAVIOUR: *Good*. PROGRESS AT SCHOOL: *Fair*. HABITS: *Clean*. *Improving very slowly*." When I was eleven a decision had to be made on my progress at the Abbey. If satisfactory I would be sent to a Boys Home, if not to a Senior School for Educationally Subnormal Boys. On 21 August 1941 I was sent to Barnardo's Home at Kingston which would indicate that I was no longer thought to be mentally backward, though a note states: "*Educationally still some way to go.*"

Though there were many things that I did not like about Cardington Abbey, I was sorry to leave it. I had been there for some five years and had long been used to the place and the staff. It was like being uprooted all over again. At Kingston I was a "new boy" again; where at Bedford I had been the oldest I was now the youngest and the weakest.

The biggest difference between the two homes was that at Kingston the boys went to an outside school. It was at this school that the stigma of being brought up in an orphanage was made clear to me. There were many fights with the outside boys, who also went to the school. Particularly when they referred to us as: "*Dr. Banana boys!*" We were also rather looked down on by the teachers and the parents. If there was ever any trouble we invariably got the blame for it. During my three years there I was caned on my hands so often, my arithmetic was never good enough to keep count.

The war was at a critical stage: the sirens wailed almost every day warning us of the arrival of enemy aircraft overhead. To be caught without your gas mask was a punishable offence, and fire drill was as regular as going to church on Sundays. We learnt how to use a "stirrup-pump" and spent a good deal of our time in air-raid shelters. Any progress that I might have made at Bedford was soon lost, I came at the bottom of the class in just about every subject in the curriculum. But things were to improve. Few, if any, bombs fell on Kingston, but in 1943 and after we really came under attack from the Doodle Bugs and V.2. rockets, both of which gave eager schoolboy truants no warning of their arrival.

MR. GARDENER was the name of the Governor of the Home. Of all the people I met in the Homes, he remains the most difficult to fathom. He was tall, smoked voraciously, and seemed only interested in the band. He left the running of the place to the rest of the staff and I saw him rarely. One of my greatest ambitions was to join his band, and learn to play the bagpipes; I applied several times but was turned down flat. Instead I got all the terrible jobs. I built flower-bed walls with clinkers from the furnace and then white-washed them. For a time I was put to work in the lavatory: every day I washed the urinal and scrubbed the floor with a yard broom. One morning I found one of the lavatory pans blocked with excrement, and full to the brim with foul water. The master in charge

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took one look at it and then at me: "Come on, lad! don't just stand there!" he said. "Get your hand down there and fish it out! It's all your own!" It is my command performance of the war.

The Governor was also interested in boxing. It was more or less compulsory to volunteer to fight, for refusal meant being branded a coward by the rest of the boys and petty victimisation by the staff. I was once matched against a boy with a bright red face, who had high blood pressure and was absolutely useless in the ring. Neither of us were keen on having the bout, but there was no help for it. The gloves were put on and we entered the ring. The bell clanged and there we were facing each other, the boys cheered us on and the Governer bellowed: "Show us what you can do!" More by luck than from good judgment I took a blind swipe at the boy and the blow landed squarely on the end of his nose, which exploded and blood spurted in all directions drenching us both. The bell rang indicating the end of the round, and I thought the end of the match. Mr. Gardener went to the other boy's corner, inspected the damage and declared him fit to continue. The second round went much the same as the first, and by the end of it I was sure that the fight would be stopped. But we were made to go the final round, making three in all. The boy was a pitiful sight and I hero for the first time, and most reluctantly.

A REPORT on my progress from Kingston to head office dated 30 April 1943 reads: "BEHAVIOUR: *F/G*. PROGRESS AT SCHOOL: *Fair*. HABITS: *Clean*. RELATIVES WHO KEEP IN TOUCH: *No*." This was followed by several comments. "*A peculiar boy mentally. Making little progress. Very sullen.*"

On 15 November 1943 my mother wrote the following letter to the head office at Stepney.

> Dear Sir,
> I am writing in asking if I could have my Son John Norman Home or as he got to stay untill the War is over been as he is on National Importance work I expect he feels it now as hes 2 Brothers are at home or if not could he come home for Xmas on a Holiday for a week or tow if you would write & let me know I should be very gratefull
> I am your faithful
>
> MRS. NORMAN.

Whether this was a belated act of motherly love or because I was approaching school-leaving age (and could go to work), I will never know. She was at the time living in Birmingham where a Barnardo's enquiry officer visited her and recommended to the General Superintendent that I should spend the following Christmas with her. Leave was granted. But I think she must have got cold feet at the last minute, for I did not get to go, nor have I heard a word from her since, or the two aforementioned brothers.

FROM TIME TO TIME we were visited by contingents of the U.S. army and air force who were stationed in Richmond Park, just down the hill. They were the kind Americans armed to the teeth with chewing gum, peanuts, toys, sweets, and of course Coca Cola. They were also the funny Americans who could improvise a show and make children laugh.

One day a Doodle Bug came "pop-pop-popping" across the sky and the engine stopped directly overhead. We stood there gorping up at it, as it glided softly down towards us, just missing the bell tower of the Home. It crashed in a field less than a mile away and exploded, like a mighty clap of thunder, blowing every window out of the Home and me off my feet. Later we were allowed to go and see the crater, which to me at the time seemed to be the size of a football pitch. Later several rockets came down around and about, but no one was seriously hurt.

When I turned fourteen, it was decided that since I was so far behind at school, it would not be wise to find me "a situation." Instead, I was sent to a Barnardo's Technical School in Hertfordshire called Goldings. I arrived there on 8 July 1944, and what a fearsome place it was! Though the Head Master was a mild clergyman named MacDonald, the institution was run with a rod of iron. Drill, marching, physical training and cold showers were the order of the day. You had to be tough or you went under. Indeed one boy died whilst I was there; it was said to have been from natural causes, but then some causes are more natural than others.

I absconded several times but was always caught or gave myself up after spending a night in a freezing ditch or hay stack. I would be returned to the Home by the police (who incidentally were always kind to me and gave me tea and cakes). I was thrashed soundly and put back to whatever work I had been allocated.

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"He has problems and I am anxious about his future," states the Head Master in a letter to head office about me. Which comes as no surprise to me whatever.

I spent my first few months there being a "spare boy," *i.e.* a boy they could find nothing to do with. After a time they tried me in the Carpenter's Shop, in the hope that I would learn a trade. It was useless. I could not handle such things as planes, chisels and tenon saws. I ruined every exercise I was given, and was eventually taken out of the course, before I could destroy every last plank of wood they had in the place.

They tried me then in the Bootmakers' Shop. This too ended in desperation and disaster. They told me that I was not trying (I certainly was). It did not occur to them that perhaps I was not cut out to be a craftsman or a tradesman. Their attitude seems to have been: if you can't learn to be a Carpenter or a Bootmaker you can learn nothing. So they put me in the kitchen washing dishes and peeling potatoes. The cockroaches in the kitchen outnumbered the boys ten to one. During the day they hid behind the steam coppers, but at night they ventured forth for a bit of exercise. If anyone walked across the kitchen floor at night when the lights were out, they would leave a trail of mangled corpses behind them, for the cockroaches covered the floor from wall to wall like a thick pile carpet in a Mayfair penthouse. An attempt or two was made to put them down, but to no avail; they were hardy creatures and defied every insecticide on the market, indeed I think they thrived on them.

At least working in the kitchen meant that I got out of the incessant marching about and being bullied by prefects. I spent so much of my time in there I began to smell and even look like a kitchen. The cook was a hard taskmaster, inspecting my washing-up as closely as a sergeant-major might inspect a squad of recruits. He warned me that every saucepan that I washed was to be wiped *dry*. He would then choose one at random and tell me to hold it upside down. For every drop of water that dripped out he would strike me on the head with a wooden spoon. This tended to leave me somewhat dazed at times, depending upon how many drops of water fell out of the saucepan.

The highest honour that could be bestowed on a boy at Goldings was to be made a prefect: a boy would have to "excel at sports" or be "of exemplary character." For prefects there were many perks (being allowed to stay up later than the rest of the boys, use of the prefects' room, in which there was a billiards table and dart board; they were also permitted to smoke, though I do not think that this was official). It was also the prefects who were usually chosen to go to Wimbledon each year, to act as ball boys at the famous tennis tournaments. But their greatest privilege was that they could report any boy they saw breaking one of the hundred-and-one rules. They could also, within reason, inflict the punishment themselves. It was no joke if a prefect had it in for you, particularly if it was the school captain who, like the other great dictators of our day, had absolute power.

IN NOVEMBER 1945 I ran away again, this time with another boy whose name I have long since forgotten and would not print here if I had not. As usual we had no destination in mind. To get away from the frightful place was the only object. We walked for miles across the ploughed fields and pastures where cattle grazed. By late afternoon we were tired, hungry, freezing cold, and wet all through. Then as we turned a bend in a country lane, we saw a farm wagon parked by the wayside and decided to investigate. Our hope was to find some food. As we clambered into the back of the wagon, we noticed a man working in the fields some way off. He was absorbed in whatever it was he was doing and did not see us. I do not remember which one of us it was that found the man's jacket, but suddenly there it was in our hands. We wasted no time in searching the pockets. We found a packet of cigarettes and a wallet which contained some papers a few photographs and a ten shilling note. Without hesitating we pocketed the money and cigarettes and ran away.

Later that night we were stopped by a policeman who questioned us about what we were doing and where we lived. We told him and were taken to the police station. The farm hand must have reported the theft to the police. No sooner had we entered the police station than, we were searched by a sergeant, who found the note in our pockets. We grudgingly confessed to the crime, were charged, and appeared in court the following morning. After the reading of the evidence, etc., the Magistrate adjourned the case for three months for a "Report on the Conduct and Progress of the Boys." The other boy was hastily transferred to another Home, and I was given my very last chance.

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I WAS SUMMONED to the headmaster's office, who for the first time talked to me kindly, and told me that the incident was now closed, but that it really was my last chance. Much to my amazement he then asked me what I would like to do. I immediately said that I would like to go to work in the gardens; I had had enough of the kitchen. He agreed that I should, but warned me again about the consequences of failure. What could they be? How could I know? He must have thought I was laughing up my sleeve.

Though we had little or no contact with girls at Goldings, there was very little, if any, homosexuality. But there was a good deal of masturbation. In fact there were masturbation competitions amongst the elder boys as to who could ejaculate quickest and farthest. Though these sporting affairs had to do with our latent sexual frustration, the boys looked upon it only as a mild joke.

My first real sexual experience was with a Girl Guide when, one year, we went to a summer camp. I think she might have been slightly older than I, but we were both young and inexperienced. It was, anyway, something to boast about to the other boys. I remember their reaction was one of disgust, with just a slight tinge of envy.

ON 17 OCTOBER 1946 I was released from Barnardo's care, though they remained my legal guardians until I came of age. I was found a place to live at Waltham Cross and a situation with a tomato grower near by. My final report to head office from Goldings documented their continuing anxiety about their difficulty in getting any co-operation from me and that I was very unsettled.

Time has passed, things have changed. Looking back, I cannot ever remember being called by my Christian name; today the children are not called by anything else. And the old tradition of calling the governor or headmistress "Sir" or "Madam" has been dropped. It is now "Mum" and "Dad" and even "Pop."

Poem

Beyond the shifting leaves in the park
Grandparents cross the shifting leaves
In the colour of the afternoon grandparents
Make motions to walk in
The leaves in the park separate the trees
Into which the grandparents wander
Soundlessly the afternoon colours the leaves
Shifting themselves on the benches and
Branches clicking down from the trees
In the wind shifting in the branches
The birds glide quietly down with the cinnamon leaves
To the grandparents standing woodenly mistaking the leaves for
Birds mistaking leaves for birds
Until the moon arrives and everyone gone

Jeffrey Hamm

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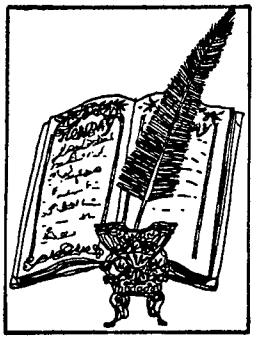

Column

THE PLOWDEN Committee on Primary Education has laboured for over three years, and now it has brought forth an enormous mouse in the shape of a report in two volumes of nearly twelve hundred pages. To say this may seem ungrateful to the committee, which has carried out with the greatest possible conscientiousness its directive "to consider primary education in all its aspects and the transition to secondary education." It is not the committee or its report which is at fault. It is simply that the work has been done at a time, and under conditions, which make it almost inevitable that, for some years to come, its recommendations will remain a dead letter.

The committee was appointed by the Minister of Education, Sir Edward Boyle, in the last Conservative government. At that time we were led to believe that, as Sir Alec Douglas-Home told us, the British economy was healthier than it had ever been, and every kind of pie-in-the-sky was ready for us to eat. The Labour opposition promised an even richer diet. Today things are rather different. The present Minister of Education, Mr. Anthony Crosland, while welcoming the committee's proposals, has made it perfectly clear that they are far beyond our means. In that game of snakes-and-ladders which Mr. Wilson calls "getting the priorities right," everyone realises that the needs of adults come first, and adults need enormously expensive toys like guns east of Suez and armies on the Rhine and Concorde aircraft and eight new universities and Mr. Wedgwood Benn. Of course, we can't even really pay for them, but after all, first things must come first.

The inevitable postponement into an indefinite future of the Plowden Committee's recommendations makes one wonder whether the time-honoured British method of promoting reform by Royal Commission and departmental committee has not long ago ceased to serve any purpose. Three to four years is by now the normal time required for such bodies to complete their enquiries and make their report, and the continually increasing scope and complexity of the problems involved, and of the knowledge available, tend continually to make the period longer. Two to three years is a modest estimate of the time needed to debate their conclusions, to draft legislation and to pass it through Parliament. In the meantime, it is almost certain that social and technological change will have made the proposed reforms out of date by the time they are put into effect. No doubt such methods may, in the long run, have their virtues. The trouble is that, as Keynes said, in the long run we are all dead. On the whole it could be said that the main function of a Royal Commission is to postpone action until it is urgently necessary for another to be appointed.

ANY PARENT WITH children below twelve years of age should be able to derive interest and edification from reading the Plowden Report. But on the whole this is not very easy to do. Its bland, cool, lifeless prose translates one into a Mandarin-land which is infinitely far removed from the actual world in which children and their parents have their being; and unfortunately, as in nearly all discussions of educational questions, enticing hopes of the future are so inextricably mingled with the depressing realities of the present that one is never quite sure which is which. But sufficient persistence will acquaint one with such facts as that, of nearly four million children undergoing primary education in England, about a fifth are in school buildings which are nearly a hundred years old and more than another fifth in buildings between a hundred and sixty years old. In this respect I suppose my own experience is fairly typical. I began my education, during the first World War, in a school built at the end of the 19th century. When I went back to my birthplace, nearly forty years later, it was still in use, though not mellowed or improved by time; and it is still in use today. Anyone who is acquainted with the standards of maintenance, repair, and hygiene that are observed in such buildings will realise that nearly a half of the primary school population of this country, that is of the children who form the country's greatest source of ability and talent, are being educated under conditions which would unhesitantly be condemned as unsuitable for a dairy herd. Elsewhere in the report one comes across the appalling fact that over two million small children make their first acquaintance with the delights of learning in schools which have no form of indoor sanitation.

It is one of the merits of the report that it does not try to conceal these terrible blemishes in our system of primary education; it is because they are so great that the cost of setting them right is so large. One might reasonably ask why it is that, in spite of large and continuously increasing expenditure on education as a whole, conditions in the primary schools have been allowed to deteriorate to a point at which, it would seem, it is now economically impossible

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to set them right. The answer would be a very long story. It would include the process by which the profession of school-teaching, and especially of primary school-teaching, has been allowed to sink progressively in social and financial status until it occupies a position near, but slightly lower than, that of a well-paid labourer. It would include the prevalent English assumption that, in education as in industry, there is no urgent need to renew capital equipment inherited from the past, and that what was good for the 19th century will remain good for the twentieth. It would include the working of a fiscal system in which it is taken for granted that the poor should contribute to tax concessions to the rich which, in the field of education, help to perpetuate their existence as a privileged class.

But it would also have to include the fact that, in the great game of "getting the priorities right," we have, in the field of education, got them wrong. We have assumed that the primary object of our educational system is to provide an élite of managers, technocrats, scientists, bureaucrats, and technicians; that the easiest and quickest way to achieve this end is by a proliferation of university education, on a scale which by now threatens to defeat its own object; and that therefore the first priority in allocating the scarce resources available for education should be given to university expansion, including the founding of new universities, at a cost which relegates the primary schools, which are the basis of the entire educational structure, to the status of a poor relation.

To argue in this way is to misunderstand both the needs of the country and the purpose of university education. It is, in the first place, doubtful that universities, at least on the English model, are the best means of imparting the knowledge and the aptitudes required by the class of skilled managers which is essential to the running of a modern industrial society; it is equally doubtful whether what the country most needs at the present time is a managerial élite drawn from the privileged class of those who receive a university education. On the other hand, what is certain is the need to educate the general mass of the population in the increasingly complex body of knowledge and the increasingly advanced skills required by a modern industrial civilisation, and moreover in the nature of the functions they have to play in it; that is to say, to create a genuinely educated working class which is both technically and intellectually prepared for the demands of a modern society.

Such an object cannot be achieved by education alone; much of the knowledge, the skills, and the understanding required can only be learned after formal education has ended. But the indispensable basis for it can only be laid for it in the primary schools, if it is to permeate our whole society, and the gross inadequacies of our present primary school system are such that it is not and cannot be provided. We have begun by reforming and expanding our educational system at its narrow apex and the cost has been so great that it has led us to neglect the foundation on which it is built and which is essential both to a healthy education and to a healthy society. It is only on this foundation that an educated democracy, such as we conspicuously do not have today, can be created; and if today a democracy is not educated it is likely that it will not long remain a democracy.

It is a fascinating feature of the Plowden Report that, at every turn, it leads one out of the field of education into considerations which affect our society as a whole. And perhaps this is only natural. For at no time more than at the primary school stage is the child more intimately bound up, through parents, home and family, with his social environment, which is, after all, the environment we all share. And it is by consideration of the child and his environment that the committee has been led to the conclusion that there are large areas of English life in which conditions are so inimical to his mental and physical growth that it requires a kind of special operation to save him from the handicaps they impose upon him. Indeed, they consider the conclusion so important that they recommend that the first call on any additional expenditure which may become available for primary education should be concentrated on these underprivileged areas; they should be given preference, in respect of Treasury grants, buildings, equipment, amenities and staff, until such a time that their schools have been brought not merely up to, but above, the standards prevailing in more fortunate areas. Nothing else, the committee considers, will be sufficient to compensate for the initial handicaps under which these children suffer.

This proposal has implications which might well be called revolutionary and, if there were any chance that the committee's recommendations would be implemented, one could easily imagine the fierceness of debate and controversy to which it would give rise. For the committee is actually proposing that the children of the poor should be not merely as well taught as but better taught than those who are better off, and that by no other means can they be protected against the penalties of living where and as they do. Such a proposal flies flagrantly in the face of

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that perverted form of egalitarianism which demands that everyone, rich or poor, should share equally in whatever benefits the social services can provide; to the abstract concept of equality, it opposes the claims of social justice, which is far more subversive.

Unfortunately, the committee has refrained from identifying the areas which, in their view, should be given such preferential treatment, perhaps because they feel they are treading on very dangerous ground. For if distinctions are drawn, in respect of education, in favour of primary school children, why should they not be applied, both in this and other fields, to their elder brothers and sisters and even their parents, whose poverty they share. Why should social justice only apply before the age of the 11-plus? And would not all efforts to create in the primary schools an island of light and knowledge be likely to fail unless equal efforts were made to illuminate the darkness by which they are surrounded?

BUT PERHAPS IT WAS NOT necessary for the committee to identify the areas which they have recommended for special treatment, for everyone who has eyes to see knows that they exist and where they exist. They are the miles of decaying 19th-century buildings which one sees from the windows of railway trains as one enters any large city. They are the derelict Rachman-rented, rat-infested dwellings that stretch along the canal within a few hundred yards of Regent's Park and the desirable residences of Little Venice. They are the Lowry landscapes of that huge industrial conurbation that stretches across England from Liverpool to Hull. And they are also deserted rural slums, where birds nest in the broken harmoniums of ruined churches, from which intensive farming, the motor car, and the attractions of urban life have drained all life away. They are the black heritage of the industrial revolution, from which we have still not shaken ourselves free.

Despite much research, no one really knows how far these waste lands of England extend or how many people live in them. And very few understand the poverty-stricken quality of the life that is lived in them, or what a dead weight of ignorance and hopelessness they impose on every effort to raise England out of the inertness and stagnation which, industrially, has been her condition throughout this century. We need a new version of Orwell's *The Road to Wigan Pier* to make us realise what an immense material and moral problem these areas, some of which lie in the very heart of our greatest cities, present to us; we should be horrified to discover how little conditions have changed in some of them since the days, now over thirty years ago, when Orwell wrote. It is a tribute to the courage and realism of the Plowden Committee that it should have realised what an immense concentration of effort is required, in the field of education, to rescue the children of these lower depths and so help to bring them to an end; and how one wishes that there was the slightest chance at all that the government would listen to them.

I SUPPOSE we have to accept that financial stringency makes it impossible to implement the main recommendations of the Plowden Committee. At least, Mr. Crosland has accepted it, and if his reforming zeal has been quenched, who are we to dissent? But there is one recommendation which will not cost a penny to carry out; Mr. Crosland can adopt it with a glad heart and a light conscience, without the slightest fear of provoking the frowns of Mr. Callaghan. This is the recommendation that the infliction of physical pain as a method of punishment in primary schools should be forbidden; in maintained schools by amending Schools Regulations, and in independent schools by giving the Secretary of State power to deny registration to those in which the infliction of physical pain is a recognised method of punishment.

At first sight, it seems difficult to believe that anyone could object to such a recommendation. The infliction of physical pain on a child is so wholly at variance with the professed aims of education that it is hard to see how anyone could hope to make them go together. For the child, corporal punishment involves a violent assault on his personality, even though he may not himself recognise it. It is humiliating and degrading both to the teacher and his victim; what is perhaps even worse is that the attitude of a teacher who employs such methods of teaching is based upon a profound misunderstanding both of the nature of the child and of the purposes which education should serve. One might expect therefore that the Plowden Committee's recommendation would meet with widespread support, not least the Secretary of State's.

One would, of course, be wrong. Cruelty to children is as characteristic a feature of English life as kindness to animals; they are both part of the English character, which to the foreigner is frequently so puzzling and bizarre. Yet by today one might hope that even in this the English had changed. Corporal punishment has almost been excluded from our prisons; the schools are its last refuge. What is more, the committee's recommendation has been made in face of the fact that public opinion is in favour of retaining corporal punishment in the schools, and so is an overwhelming majority of the

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teaching profession. Thus it is almost certain that when the Plowden Report comes to be debated, there will be a powerful lobby on both sides of the House against the abolition of corporal punishment in the schools, supported outside the House by the powerful voices of Mr. Peregrine Worsthorne and other devotees of flagellation as an aid to the higher learning.

How WILL Mr. Crosland answer them? Will he say, as he has already said with regard to religious instruction in the schools, that this is a matter in which his own personal predilections must yield to the wishes of parents, something that has a disturbingly close resemblance to the cry of a politician about to rat on his principles? Will he say that if, in this matter, both public opinion and the teaching profession are in favour of the infliction of physical pain on infants, reason must bow to brutality? Will he listen to those siren voices which tell him that the rod, the birch, the cane, the tawse are an inalienable part of the great English traditions which have made Mr. Peregrine Worsthorne what he is? One wishes that he would answer with the crude directness with which Sir Winston Churchill once replied to a reactionary admiral opposing some lower-deck reform on the ground that it was against all the traditions of the British Navy: "We know all about the traditions of the British Navy—rum, buggery and the lash. . . ."

Somehow, one hardly sees such crudities coming from Mr. Crosland. And yet, even so, a beginning has been made towards removing one of the relics of barbarism in our midst. The abolition of corporal punishment in the primary schools (and if it is abolished there, how can it continue in other schools?) now has behind it the authority of the most thorough and comprehensive survey of primary education that has ever been made in this country; and sooner or later that authority will prevail. But how one wishes that it was the end and not the beginning.

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From Hoax to Dogma

A Footnote on Marx and Darwin — By SHLOMO AVINERI

IT IS WELL KNOWN, of course, that Karl Marx wanted to dedicate *Das Kapital* to the author of *The Origin of Species*. This intellectual affinity between the two great men seems also to be given further substance by Friedrich Engels' remark in his London funeral oration at Marx's graveside: "Just as Darwin discovered the law of development of organic nature, so Marx discovered the law of development of human history." Five years later, in 1888, Engels used this parallel in another context in his Preface to an English edition of *The Communist Manifesto*. Explaining that the proletariat cannot emancipate itself without simultaneously emancipating society at large from all oppression, Engels says that "this proposition . . . is destined to do for history what Darwin's theory has done for biology."

Thus Marx and Darwin have been linked in what seems to be an inseparable union. Marx's son-in-law Edward Aveling, himself a biologist, added a further dimension to this when he published in *The New Century Review* of 1897 an article called "Charles Darwin and Karl Marx—A Comparison." Aveling's chief aim was to make the educated British public aware of Marx's work, and the parallel with Darwin was convenient and effective.

Once this Marx-Darwin image got under way, it was hardly ever questioned. Ludwig Büchner published his *Darwinismus und Marxismus* at the turn of the century, and numerous other studies, by such diverse authors as Pannekoek and Timiryazeff, followed; one of the few points on which Kautsky and Lenin seemed to be of one mind was the methodological resemblances between Marxism and Darwinism; and when Jacques Barzun published his *Darwin, Marx, Wagner; Critique of a Heritage* in 1946, he expressed almost a commonplace in attributing to Darwin and Marx alike a reduction of human life to the lowest common denominator of sheer physical existence.

But is all this really so? Was this the way Marx himself saw his relation to Darwin?

HAD THE Marx-Engels correspondence not survived the emasculating editorial efforts of the German Social Democrats, who under Bernstein and Bebel expurgated the *Briefwechsel* from any hint that might have offended the respectability, on bourgeois standards, of the twin fathers of International Socialism, we would never have known what the origin of Engels' simile between Marx and Darwin really was. The story as it emerges from the Marx-Engels correspondence is at once somewhat ludicrous—and immensely humane.

In 1867 Engels was asked by the editor of a liberal, anti-Prussian Swabian paper, *Der Beobachter*, which was published in Stuttgart, to contribute a review of Marx's *Das Kapital*, whose first volume had just come off the presses in Hamburg. Marx's correspondence of that period reveals his concern with securing ample review-coverage for his book in Germany: after all, his name was virtually unknown there at that time. He had left Germany in 1843, and had never resided there since (except for a short and stormy period during 1848–1849). Like many another author, Marx was anxious to have as many reviews of his book published as possible; and as always Engels proved himself immensely helpful in this respect. During 1867–1868 more than nine review articles by Engels on *Das Kapital* were published in various papers and periodicals, mainly in Germany. Marx even prepared a résumé of *Kapital*, Vol. I, which proved to be invaluable for Engels in summarising the involved argument of the book.

When the editor of *Der Beobachter* approached Engels about the review, Engels took counsel with Marx about the strategy to be followed. This was, after all, a solid bourgeois paper, with no conceivable intention of publishing some devastating critique of capitalist society. The editor might have even been slightly misled by the respectable title, *Das Kapital* by Dr. Karl Marx. Yet would it not be tremendously helpful if such an opportunity

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could be seized upon to propagate the views of Marx? Marx made several enquiries about the paper and found out that its editor, Karl Mayer, was an enthusiastic follower of Darwin; he used Darwinism as a scientific proof for the natural superiority of *laissez-faire*.

IN A LETTER to Engels, dated 7 December 1867, Marx outlines the strategy Engels should follow in the matter of the review. The article should be tailored to the south-German, anti-Prussian, liberal, and Darwinist idiosyncracies of the paper; under this disguise Engels should try to put across the main argument of *Das Kapital*. Marx's remarkable letter is worth quoting in some length:

> As to the Swabian *Blättchen*, it would be an amusing coup... to start by saying that whatever one thought about the tendency of the book, it does honour to the "German spirit" and hence had to be written by a Prussian in exile, and not in Prussia. Prussia is a country which ceased long ago to be a place where any scientific initiative, especially in political, social and historical fields, was possible. Prussia represents now the Russian, not the German, spirit.
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> As to the book itself, one has to distinguish between the positive description given by the author and the tendentious conclusions drawn by him. As to the first, since the author deals with the real economic relations in a completely new materialist (Mayer loves this term) method, it constitutes a direct contribution to science. Examples: (*1*) The treatment of money. (*2*) Co-operation, division of labour, the system of machinery and the corresponding social combinations and relations which develop out of it "naturally."
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> But as for the author's *tendency*, one has again to make distinctions. When he proves that contemporary society, economically considered, is pregnant with a new, higher form, then he only shows socially the same universal process of change which was proved in the natural sciences by Darwin. The liberal doctrine of "Progress" (that's Mayer *tout pur*) implies this, and it is a tribute to the author that he sees hidden progress even where modern economic conditions are being accompanied by horrifying immediate consequences. The author has thus, by his critical approach, given—perhaps *malgré lui*—a final blow to all professional socialism, *i.e.* utopianism.
>
> As for the author's subjective tendency—he may have been bound by his partisan position and his own past—*i.e.* the way he presents the final results of the present development, the contemporary social process—this has nothing at all to do with his actual description and analysis. If space would have allowed it, one could show how much his "objective" description gives the lie to his "subjective" prejudices.
>
> While Herr Lassalle derogates the capitalists and flatters the Prussian rural Junkers, Herr Marx shows the *historical "necessity"* of capitalist production and takes to task the merely consuming landed gentry. How little he shares the views of his schismatic pupil Lassalle about Bismarck's vocation to bring about the economic millennium was shown by him not only in his earlier protests against *"royal Prussian socialism,"* but is evident also on pp. 762, 763, where he says that through the now prevailing political systems of France and Prussia, Prussian hegemony will be imposed on Europe—unless it is stopped in time.
>
> That's my view how to hit this Swabian Mayer... and small as his piggish little paper (*Saublättchen*) is, it still is the popular oracle of all federalists [*i.e.*, anti-Prussians] in Germany and is also read abroad.

One can imagine how much Marx must have enjoyed writing this review of his own book and how much he relished this opportunity of setting straight so many accounts at one stroke. At any rate it is quite clear that in order to have this review printed in a hostile paper Marx was ready not only to suggest a similarity between himself and Darwin for the sake of argument, but was also willing, in the same spirit, to concoct internal contradictions within his own system!

Engels faithfully carried out Marx's instructions; the review as written by him and printed in *Der Beobachter* of 27 December 1867, is a true replica, sometimes a verbatim repetition, of Marx's letter. The relevant passage about Darwin in the printed review reads as follows:

> Insofar as Marx attempts to show that contemporary society, economically considered, is pregnant with a higher form of society, he attempts nothing else than to show as a law of the social sphere that universal process of change that had been proved by Darwin in the natural sciences.
>
> The liberal theory of Progress implies progress in the social field, and it is no more than one of the expected paradoxes of the socialists to believe that it is only they who have an exclusive title to it. In contrast to the general run of socialists one should mark out Marx's achievement in that he points to progress even where the extreme one-sideness of the development of present conditions is accompanied by horrifying consequences. This is the case, for example, in his account of the extreme forms of wealth and poverty created automatically by the industrial system. Precisely by this critical attitude to the subject the author has supplied—undoubtedly against his will—the strongest argument against all professional socialism.

From this successful and spirited mockery Engels derived, 25 years later, the methodological link between Marx and Darwin.

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WHAT OF Marx's own views of Darwin? Here it seems that the difference of attitudes between Marx and Engels is quite considerable and it may explain Engels' later Darwinist writings as well as his turning the joke of 1867 into the eulogy of 1883.

Engels read *The Origin of Species* immediately after its publication in 1859 (which is, incidentally, also the year of publication of Marx's *Critique of Political Economy*), but Marx refers to having read it only a year later. On 12 December 1859 Engels tells Marx in a letter that on reading Darwin he has found him "wonderful": "Never has such a tremendous effort been made to perceive historical development in nature." Marx's comment of a year later is also generally favourable, but in a distinctly lower key. In a letter of 19 December 1860, he refers to having read Darwin's book among some other books he has read during a recent illness. He feels it is very helpful, as it contains the "natural-history basis for our views." In a letter to Lassalle (January 1861) Marx again says that Darwin is very helpful, especially as he put an end to all teleological notions in the natural sciences.

But Marx's more comprehensive confrontation with Darwin came only two years later. In a letter to Engels (18 June 1862) he writes:

> Darwin, whom I have looked up again, amuses me when he says he is applying the "Malthusian" theory *also* to plants and animals, as if with Malthus the whole point were not that he does *not* apply the theory to plants and animals but only to human beings—and with geometrical progression—as opposed to plants and animals. It is remarkable how Darwin recognises among beasts and plants his English society with its division of labour, competition, opening up of new markets, "inventions," and the Malthusian "struggle for existence." It is Hobbes' *bellum omnium contra omnes*, and one is reminded of Hegel's *Phenomenonology*, where civil society is described as a "spiritual animal kingdom," while in Darwin the animal kingdom figures as civil society....

This reduction of Darwin's scientific significance to a mere "ideological" projection of bourgeois society makes it quite unthinkable that Marx would have put himself and Darwin on the same footing. It also implies that Marx's intended dedication of *Das Kapital* to Darwin was evidently made tongue in cheek.

THAT THIS WAS Marx's ultimate view on Darwin is also corroborated by some of his later references to the first attempts to apply Darwin to the study of social relations. In a letter to Kugelmann in 1868, Marx devastates Ludwig Büchner's lectures on Darwinism, calling the historical account of materialism propounded there (and the linking of Marx with Darwin) "superficial nonsense." This, incidentally, was the same author whose later *Darwinismus und Marxismus* became the standard work on the relations between the two.

Two years later Marx directs similar invective against Friedrich Albert Lange's book, *Über die Arbeiterfrage*. Lange tried to conceive social struggles in Darwinian terms, implying that this also represented Marx's views. In a letter to Kugelmann (27 June 1870), Marx says:

> Herr Lange sings my praises loudly, but with the object of making himself important. Herr Lange, you see, has made a great discovery. The whole of history can be brought under a single great natural law. This natural law is the *phrase* (in this application Darwin's expression becomes nothing but a phrase) "the struggle for life," and the content of this phrase is the Malthusian law of population or, rather, over-population. So, instead of analysing the struggle for life as represented historically in varying and definite forms of society, all that has to be done is to translate every concrete struggle into the phrase "struggle for life" and this phrase itself into the Malthusian population phantasy. One must admit that this is a very impressive method —for swaggering, sham-scientific, bombastic ignorance and intellectual laziness.

There is not a hint of all this in Engels. His later *Dialectics of Nature* (which remained in manuscript during his lifetime) as well as *The Part of Labour in the Transition from Ape to Man* and *Origins of the Family, Private Property, and the State* (published after Marx's death) are all written under the combined impact of Darwin and Lewis Henry Morgan. Some of Marx's criticisms against Lange and Büchner could, no doubt, be directed against these writings of Engels as well.

So it came about that both Marxists and anti-Marxists took the parallel between Marx and Darwin for granted. It suited both camps. For the Marxists, out to prove under the impact of Engels and Plekhanov that their socialism was "scientific," this equation with Darwinism seemed to endow their philosophy with the appropriate scientific halo. Lysenko was only the most ridiculous apotheosis of this "Darwinisation" of Marx. The anti-Marxists, for their part, liked this grouping together of the two anti-Christs of the 19th Century for their own reasons: it enabled them to snipe at Marxism from yet another naturalistic angle. Freud later joined this club as a matter of course.

Thus a successful literary hoax perpetrated on the editor of a provincial German paper became the most memorable epitaph on Marx's intellectual monument and a point of dogma.

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THEATRE

The Critic & the Ideal

Letter from New York — By HAROLD CLURMAN

THE CONTROVERSY between craftsmen of the theatre and critics never ends. John Osborne wants to fight them tooth and nail because of the hostile reception accorded *A Bond Honoured* by some of them. Others greeted the play enthusiastically: with these men he will, I suppose, refrain from crossing swords. William Gaskell is enraged by the critical reaction to his *Macbeth* and Lady Macbeth. Wesker joins in the chorus of protests. In 1946 Elia Kazan and I placed an expensive ad in the New York *Times* to counterattack the New York critics who we thought had been most unjust to Maxwell Anderson and to us, the producers of his play. In 1936 the directors of the Group Theatre of which I was one responded to the carping notices of Clifford Odets' *Paradise Lost* by asserting through ads in various papers that we considered it a great play. David Merrick, New York's most active manager, once refused to provide me with press tickets because, he said, my notices of his shows had not been good enough.

This conflict will go on for ever. The difficulty is insoluble. It reminds me of a silly joke in an old Broadway comedy: "Men and women can never get along with one another. They want different things. Men want women and women men." The critics are called upon to pass judgment; show folk don't want criticism, they want praise.

This statement may provoke protests from playwrights, directors, and actors. All they ask for, they will say, are *good* critics. But good critics are just as capable of grievous error as the bad. Henri Peyre, professor of French literature at Yale, once wrote a long book listing the misjudgments of famous critics: Sainte-Beuve failed to appreciate Baudelaire; he predicted that Eugène Sue's novels would outlive Balzac, etc., etc. Didn't Shaw call nearly all Elizabethan dramatists—Shakespeare excepted —"bunglers"? Didn't he rate *An Ideal Husband* above *The Importance of Being Earnest*? Does anyone remember the contemporary plays Hazlitt praised? Criticism is not a science.

DUE TO SPECIAL circumstances there has been considerable discussion on this subject in New York. The number of daily newspapers has been reduced to four. Because the price of theatre tickets as well as the cost of production are inordinately high, the number of productions greatly diminished since the 1920s, the power of the notices in the dailies has become enormous. When the New York *Times* and the *Tribune*, the two morning papers most read by theatregoers, were both published, the influence of the *Times'* review carried so much weight that its most frequent author, Brooks Atkinson, was much troubled by his duty in exerting it. In recent years Walter Kerr's prestige had increased so markedly that while he was the drama critic for the *Tribune* theatre people were somewhat consoled by the thought that if they failed to please Atkinson a favourable Kerr notice might still save them.

Now there is only Kerr on the *Times*; he rather than any playwright, director, or actor has become the star of our opening nights. This is professionally disastrous. The first one to express dismay at this has been Walter Kerr himself. Before taking on his assignment he wrote to his editor, "So long as there were six or seven newspapers with contending critical voices, it was always possible for a play to survive mixed notices. But with the number of papers shrinking so, that is no longer going to be possible.... It might be very valuable for the *Times* to become the vital centre of debate through having at least two separate opinions, one daily, one Sunday." The editors of the *Times* have accepted the proposal in theory. At this writing, Kerr still reigns alone.

When the situation was debated at a luncheon of the Drama Desk, an association of theatre-page editors of the various New York journals, Edward Albee suggested the following:

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> I think the only valid critics of any art form are expert practitioners of that form. And so all daily critics should be dismissed. Arthur Miller, Tennessee Williams, and I should be hired.

If this were anything more than a quip several objections might be in order. The suggested change would terrify all other playwrights to the pitch of murder; they would plead for the return of the "old guard." In pre-war Paris many playwrights were themselves drama critics. The result was that it required real proficiency in deciphering their "code" to discover whether a play were being touted or flouted.

It is true that Shaw was an admirable drama critic and that his special pleading on behalf of Ibsen and indirectly on his own behalf did much more good than harm. It is also true that Lessing and other artists have made invaluable contributions to critical thought. But artists excel mainly in the elucidation of the craft and aesthetic problems which concern them individually, in other words, when they write about themselves. But criticism, particularly of the journalistic kind, is not intended for artists but for a broader public.

One evening shortly after the war in New York I found myself sitting opposite Marc Chagall. He complained of certain disparaging remarks a London critic had made about his retrospective show at the Tate. "The greatest critics," I soothed him, "are almost as famous for their *gaffes* as for their perception." "Why then," Chagall countered with a gentle smile, "do we need them?"

CRITICISM OF CONTEMPORARIES is inevitable: it is a mode of conversation. But granted that a great number of the most knowledgeable critics —call the others reviewers if you like—will not infrequently prove obtuse and cause injury, there is no help for it. Yet criticism there must be; even bad criticism is better than none at all. It is also right and proper that critics be fought by their "victims"—whether artists or readers. The "debate" keeps the arts lively, it makes everyone concerned alert. It confirms the importance, the validity of art. Positively and negatively, it challenges us to probe our own reactions, stimulates our consciousness. It makes us realise that something is going on, something which merits close attention, perhaps even the exercise of passion. The tension between critic and artist is beneficial to both; the more controversy the better. The critic if he be something of an artist contributes to our pleasure and understanding even when he excites our wrath. The artist is guilty of a certain degree of bad faith if he rails at the critic when he is panned and quotes him when he is puffed.

THERE is another aspect of the question which rarely occurs to anyone connected with our American stage. We have show shops, places where dramatic entertainment is purveyed; we are beginning to have imposing edifices where "better things" (standard works) are being performed—regional and university theatres. But we have no Theatre.

Theatre is not a sundry collection of artists and craftsmen—even if all of them possess outstanding talent. A true Theatre has something more than a policy. In the idiom of his day (1919) the Russian director Vachtangov defined a Theatre as "an ideologically cemented collective." To put it less portentously, a Theatre has a concerted purpose, a unique character, a *face*. These may be conceived in formal, emotional, moral, sociological, religious or strictly aesthetic terms. A Theatre's identity may be compared to that of the individual artist. Sometimes, as in the case of Wagner at Bayreuth, the Theatre is the creation of a single person; it is his voice and body; it may remain so after his death. The same may be said of the Berliner Ensemble even though at no time was Brecht its sole producer or dramatist.

Without being political, the original Moscow Art Theatre was held together by a particular social and aesthetic aim. As new forces joined it they engendered Studios which became new Theatres with ideologies and techniques distinct from the parent organisation. Meyerhold and Tairov in the early years of the Soviet régime headed Theatres different in style from either that of the Moscow Art Theatre or of its various offshoots. Even today when the Soviet theatre suffers the constraint of a single ideology, "socialist realism," there are theatres so dissimilar from one another that they render that slogan virtually meaningless.

Where a true Theatre is founded—and each is created in response to a different need—the position of the critic alters. He can no longer stand aloof. He does not become an apologist for any particular organisation; yet he must ultimately relate himself to each organisation in a specific way. Every Theatre being representative of some special tendency, movement, attitude, or "school," the critic will of necessity feel obliged to declare or situate himself in regard to each of them. He will become "committed," that is, he will feel impelled to explain, defend and espouse the validity of his "prejudices" as Shaw did in regard to Ibsen, Wagner and others. This limitation, if it be that, will prove of real value to everyone of the theatre world. The critic's likes and dislikes

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may then be measured in their relevance to stated ideas and goals.

Let me, to illustrate the point, say that I am opposed to my government's policy in Viet Nam. I do not therefore automatically approve of *Viet Rock* (a production recently opened in New York) because it purports to be a protest against our participation in the Viet Nam war. In fact I dislike the piece. But since I share the producer's "prejudice" my objection to the production is something I must take pains to elucidate scrupulously, to justify on the common ground we both stand on.

Shaw did not maintain that Irving was a bad actor; he projected a new principle of acting. How can I venture to criticise Claudel's plays, admired by many French critics I respect, when the diapason of his writing is almost as foreign to me as Chinese music, his emotional sources utterly remote. Artists and critics may enrich one another and their audience only when there is a cultural or "philosophic" kinship among them. The man who is "for a jig or a tale of bawdry" (his failure to acknowledge it must be accounted his chief sin) cannot be expected to be perspicacious about Ibsen, Brecht, or Beckett. The critic who condemns realism out of hand on behalf of the poetic drama can only make sense and prevent unnecessary damage if he is articulate about it. Thus there may be excellent socialist critics, catholic critics, psychoanalytic and surrealist critics, conservatives and radicals, but the wholly independent reviewer who simply shops for entertainment and acts as the consumer's guide, is something of a menace.

WHERE THERE are no *Theatres* the daily reviewer is responsible to no one but his newspaper. In most instances the newspaper will be indifferent to the reviewer's quality as long as he does not offend the bulk of its readers and his "personality" pleases many. Such reviewers permit themselves a latitude of taste and discretion which is usually little more than a lack of principle. Occasionally this is the mask for covert principles or principles of which the reviewer is not conscious in which case he causes confusion and hurt to those whose work he is called upon to pronounce opinions. Unless one is part of that public which seeks no more than distraction, argument with such reviewers is futile. Everything then becomes a matter of opinion and on that level one man's opinion—whoever he may be—is as good as another's. "Liberty of opinion" is the last refuge of the run of the mill daily reviewer.

Journalistic criticism is sometimes practised by clever, even informed men. They hardly understand why, aside from private pique, they so frequently infuriate the Osbornes, the Gaskills, the Williamses, the Millers, the Albees. They belong to the "free market" where anything goes since no basic choices have been made, no standards agreed upon, nothing defined. Critics of the "free market" are cultural vagrants. They proliferate where there is no true Theatre. Where such theatres exist critics may still be duffers but will not be altogether misguided!

In a true Theatre actors, directors, plays are not chosen on the basis of talent alone but on the nature of their talents. All participants in such organisations grow with them and cause their development. This builds a true *audience*, something quite different from a conglomeration of haphazard spectators. Such a Theatre does not dismiss its actors and directors or abandon a playwright when he falters. Failure in the arts is often an episode in the process of growth.

FOR SEVERAL YEARS Eugene O'Neill was regarded as a has-been in New York circles. The situation changed only after the off-Broadway revival of *The Iceman Cometh* and the subsequent production of *Long Day's Journey Into Night*. Just prior to both these events a favourably reviewed production of *Desire Under the Elms* (a play which had not been seen in a full-scale professional presentation for twenty-four years since its world première) ran only five weeks because people who had never seen it were reluctant to do so. When asked the reason for this they replied, "It's an old show." The best shops offer only the latest goods! When Tennessee Williams attempts what for him is a new form in the second portion of his *Slapstick Tragedy* the reviews read like obituaries. Even a new and in many ways still unripe playwright like Albee is declared "finished" when his first sensational success is followed by something less than that.

In a true Theatre the audience and the author's co-workers do not judge each separate play as the beginning and end of their interest in him but concern themselves with the whole body of his work, the line of his career, as was the case with Gorky, for example, in the Moscow Art Theatre. In such an environment the artist knows where he belongs, to whom he is addressing himself. The conditions of our commodity theatre tend to make mountebanks of its artists and jesters of its critics.

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ART

Where to Begin

By Harold Rosenberg

ART AND ART education are two different fields, or if you prefer, professions, and, in practice, these professions have, ordinarily, nothing to do with each other. An artist, an art historian or an art critic, asked to discuss the problem of teaching art, thinks of how the student can be helped to become an artist or one who understands what artists, past and present, have been doing. He slowly discovers, however, that his view of the problem is fatally oversimplified. He has been focusing his attention on art as produced by people who have made it their vocation. But what does he know about the actual condition of the children in the grade schools to whom art is to be taught? Has he taken into account the competence of their teachers—and those who teach their teachers? Has he considered the qualifications set by state laws for obtaining a licence to teach art in the school system? What about the controllers of the school budget—and how do they feel about art? Has he considered what the public will accept? And the educators of the public, including the press and the mass media (who are, by the way, also in the art business and have their own aesthetic criteria)?

At a recent conference I attended—a large, well-financed and very thoroughly prepared one—these issues were brought into the foreground by people who had been compelled to deal with them in their daily work. In the end, they became the major considerations of art education. For instance, much attention was paid to the problem of primary, and even secondary, schools in which there was no teacher who had had any art training—or in which there was a teacher who had happened to have "three or four hours of art" (whatever that means) in college. There were also questions of art rooms—or their absence; of the lack of art materials; of the indifference of parents to art or their hostility to it.

Every one of these problems is, obviously, of the utmost urgency in art education. I, personally, was so absorbed by them that it was only on the third day of the conference that I began to realise that what I had come to talk about, namely, the condition of art in America at the present moment, and how art might be taught given this condition, was essentially irrelevant. An artist and an art historian who were also in attendance experienced the same sense of superfluity. The problems encountered by the educators were so real, and so full, rounded out and complete that there was no room left for the difficulties of art.

IN A KIND OF AUTOMATIC, dreamlike way, we who had become, by contrast with the educators, representatives of the world of art, kept bringing up the topic of creating and appreciating art. Occasionally, one of us would rise to voice an objection when teaching art was made synonymous with teaching handicrafts, or with exercises in visual perception, or with the aesthetics of line, form, and colour, or with inculcating rules of good taste in furniture, wall decoration, or fabric design. Each of us tried in his own way to recall that somewhere in the enterprise of teaching art the making of paintings and sculptures ought to be included, and that somewhere in teaching the appreciation of paintings and sculptures the ideas, feelings and intentions of artists had to be taken into account.

The results of our efforts were not very encouraging. Most of the art educators, and particularly the educators of the educators, did not know, to put it bluntly, what we were talking about. Nor did they care. They had never learned much about art and had no time to think about it. They were specialists in education or in the psychology or philosophy of education. The few who had once painted or had studied art were pleased to hear echoes of the old art discussions and regarded us with the affectionate condescension reserved for those who express worthwhile truths but who are ignorant of the way things are in the real world. Others regarded us as trespassers in a

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field that belonged to them. The general feeling was: "Now we've had this talk about art—let's get down to business."

I, too, should like to get down to business.

THERE IS NO substitute art that can be taught simply because conditions make teaching art difficult or impossible. Teaching art means educating students, regardless of age, in the processes employed by artists in producing their works; in their attitudes towards their materials; in the character of *their* visual experience (not the visual-perception experiments of the psychologists), including their experience of works of art; in the necessity for and the limits of imitation. The methods of teaching will, of course, be different in the kindergarten and in the art school, but the subject, as with ethics or religion, is the same whoever is being instructed. If there is no one in a school who knows anything of what artists do and think, art simply cannot be taught in that school. Someone may be found to distribute water-colour boxes and pans, or to cut shapes out of coloured paper for Hallowe'en decorations, but there is no more reason why this should be called teaching art than exploding firecrackers should be called teaching chemistry. Art is culture, the culture developed by artists over millennia of creation. The subject-matter of an art course, even in the lowest grades, is the artist and what he does and has done. It is not self-expression or psychology of creation or rules of how to match colours and harmonise forms.

Teaching false conceptions of what art is is worse than teaching nothing. It is preferable that children should get their art experience from toys and picture books, without a word about art, and that they should come upon art as they grow up and find themselves in the presence of art works, than that they should learn by rote certain experientially meaningless characteristics of masterpieces or be told that certain unexciting projects constitute making "art." The identification of art with "the finer things of life," that is to say, with the genteel, has for generations alienated from art the more vigorous minds in the classroom. The notion that art is unmanly, still fostered by approaching it in terms of taste and decoration, is one of the foundation stones of American anti-intellectualism.

To speak of teaching art in relation to art itself is, of course, to add a paramount difficulty to a situation already overloaded with difficulties. Perhaps it is the straw to break the camel's back. As I have indicated, however, it may well be that this particular camel ought to have its back broken. Certainly, there is no sense in taking the existing art-teaching organism for granted. We should do better to look for new beginnings.

LET ME REPEAT, the aim of art education is to bring the student into the orbit of art culture, either as a practitioner or as a participant in the experience of practitioners. Art education must function in proximity to the artist and the artist community: it must understand him and his part in the contemporary scene, for through him alone can it understand the art and artists of the past.

Today, the coming together of the art teacher and the artist can be best achieved at the summit—that is to say, at the university. The suggestion is often made to bring artists into primary and secondary schools as teachers. Another suggestion is that those schools make a systematic effort to reach out to painters and sculptors, if any, in their neighbourhood or community. These thoughts are in the right direction, and perhaps a principal or a teacher here and there will take action on them. But local initiatives cannot hope to produce any large changes in the life of art and the manner in which it is taught.

If a new beginning is to be made the key to it lies with the university. This is especially the case today, *when for the first time in our history the university has become the training ground for artists as well as for art teachers*. Those who are going to make art and those who are going to educate people about it are now studying side by side. This is a new situation, and the more quickly its potentialities are recognised the better.

Until the 1950s it was the rule for American artists to secure their training either at professional art schools or by working with older artists. Also, many were self-taught. This practice has changed drastically in the past decade: today, the large majority of young American artists have attended universities and are holders of academic degrees. Of the thirty American artists under thirty-five included in the Whitney Museum's *Young America 1965* exhibition, eighteen had B.A. (or B.F.A.) degrees, six had attended college for up to three years, five (of whom three had been born outside the United States) had studied at art institutes (Chicago, Boston, Rhode Island) and only one (also born abroad) was self-taught.

THE SHIFT of art study to the universities is discussed by Lionel Trilling in the preface to his recent book, *Beyond Culture*. Referring to Clark Kerr's conception of the university of the future as providing a favourable setting for "pure creative effort," Dr. Trilling com-

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ments that "Dr. Kerr's prophecy is but a reasonable projection into the future of a condition already established."

That art is not only being taught on the campus but being produced there provides a tremendous opportunity to develop a new kind of teacher—one who partakes directly of the experience which it will be his or her vocation to transmit. The art teacher who knows nothing about art reflects the physical separation that until recently existed between general education and the technical training of talented young people aiming at professional careers. There was in actuality no point of contact between teacher training and artist training. Now, however, the university has become a potential centre of artistic creation and has made it possible for art creation and art teaching to develop together. This is another way of saying that the quality of art education in America will depend henceforth on how well art is taught in the university and how successfully artists are trained there, and this will be true on every level from the kindergarten to the studio. In sum, the university is the source from which must come not only the teachers in the primary and secondary schools, and the teachers of the teachers, but also the ideas and the programmes and objectives by which these teachers will be guided either towards art or away from it.

The question, then, is: how well fitted are the universities at present to stimulate "the creative effort" in art and art teaching referred to by Dr. Kerr?

Lionel Trilling notes that the new role of the university in developing artists has been regarded by some with apprehension. There is dismay at the possible effects upon art of the large, impersonal institution, the academic approach. In Trilling's opinion these fears are groundless. Within the past thirty years, he believes, American universities have been freed of their other-worldliness and have entered into a happy relationship with the arts. Once a "citadel of conservatism, even of reaction," Trilling observes today, "nothing in life is so mundane and practical or so rarified and strange that the university will not take it into sympathetic consideration."

Perhaps Trilling is right about the imaginativeness of universities, but I wonder if their "sympathy" carries over into practice. My suspicion is that while liberalism is the prevailing doctrine in university theory, administratve officers enforce codes rather than ponder individual idiosyncrasies. But even if Trilling is right in his estimate of what might be acceptable, hospitality to oddness or intransigence is hardly of itself a sufficient foundation for the growth of the creative mind. Certain characteristics inherent in the university situation present serious drawbacks to achieving good results in the arts by both students and faculty. In individual cases—and creation is always an individual case—these drawbacks, or any one of them, can be fatal.

FOUR MAJOR WEAKNESSES in the university situation as it affects the development of an authentic art consciousness come quickly to mind.

1. The need to turn art into a teachable subject in which the effort applied will produce predictable results, such as are obtained in other studies.

In creation, of course, nothing is predictable. An artist may strive diligently along indicated lines and achieve only mediocre results. Then a mistake leads to a discovery, an accident to a new start, a near-fatal illness to a re-birth and vision, etc. Art, however, is not only creation. It is also skill and technique in handling materials, whether words, sentences and paragraphs, or colour, line and form. In these aspects of art, results *are* predictable, at least sufficiently so as to make possible the allocation of grades and certificates attesting to a quantity of work satisfactorily completed.

The need of the university art department (or, for that matter, the "creative writing" department) to regularise the teaching of its subject leads it to assume automatically that attitude towards the arts which stresses their craft aspect. Masterpieces are analysed as if they were triumphs in the application of skills. Both the cultural setting of the artist and the individual quality of his performance are put aside, while his work is praised in terms that would have earned him an *"A"* in a woodworking course.

Today, the craft approach to art is reactionary and out of touch with the actual modes and functions of 20th-century art. In the past a student could be introduced to the national or regional tradition by learning studio or workshop procedures. In our time art is involved with ideas; it is a creation of the mind as well as of the hand. In order to deal with living art, the university must find the means to overcome the drift towards reducing art to a system of measurable skills.

2. A second weakness is lack of knowledge of the creative situation and misinterpretation of the content of existing art.

For all the current open-mindedness towards the rebel and the eccentric, there is very little teaching of the radical intellectual and imaginative content of the art of this century. Generally, the history of contemporary art is covered in a superficial survey, and the tendency is to present it in a vocabulary that amalgamates it into the

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evolution of certain formal values, or of "man's power to represent nature," which presumably constitute the ideals of art in all ages. Specific responses of artists to their time, place, and cultural situation, including their negative responses to both art and society, are filtered out of the works for the sake of an orderly arrangement within the history of forms. Thus the student learns about some obscure activity called Art, the products of which people treasure and deal in as they do gems or old coins. He does not gain an experience of art or a glimpse of *his world* as seen by artists.

When no connection is established between art and life, the problems of teaching art are multiplied, especially of teaching it in the primary and secondary schools. Modern art is deeply related to the feelings of strangeness and revolt felt by children, particularly those children who may be most resistant to the classroom. Often the delinquent or the drop-out is one step from art, as was successfully demonstrated by the High School for the Performing Arts in New York. If art were presented in terms of its actual daily life, many problems of arousing student interest would simply vanish.

3. Another weakness is physical dispersion. The artist or the art major in the university is cut off from direct contact with developments in the larger art centres; moreover, he is isolated among specialists in many different fields.

The university artist or art teacher receives news of the work being done and the ideas being discussed in New York, Los Angeles, or Chicago only sporadically and at second hand. He does not himself participate in the daily life in which new trends are developed, new problems raised, new possibilities explored. To hold his own in the academic environment he begins to regard himself too as a specialist and devotes himself to the acquisition of information rather than to the exploration of his own mind and evaluation of trends in his medium.

How destructive to both art and art education this isolation from current creation can be is indicated by recent developments in American poetry and fiction. With writers spotted around the country in university posts, not only has imaginative writing been overwhelmed by criticism, but criticism in turn has tended to lose touch with literature and to revolve around its own rules, assumptions and procedures.

4. A final problem is diffusion of thought, attention, and effort.

Art majors are kept from fully pursuing their interest in the spring-tide of their enthusiasm by requirements of the liberal arts courses. It goes without saying that the artist-in-training and the teacher-in-training should secure the broadest possible general education. But this education need not be unrelated to his work in the studio or study of the art of the past. The history of art is the history of its relations to religion, philosophy, mathematics, politics, biology, fashion, social history, psychology—more than enough topics to constitute a full academic education. The study of these subjects if presented in the perspective of the student's art studies, would immeasurably enrich his art experience rather than tending to blot it out. At the same time it would make those subjects themselves more vital and meaningful.

THESE PROBLEMS of the university in its relation to the creative mind cannot be overcome by mere official sympathy for what Dr. Trilling calls the "rarified and strange." The creative life is not easily made compatible with a large, well-functioning institution attentive to other interests. Creation involves, for instance, confusion and waste of time; it transvaluates values, flouts or even attacks what seems self-evident to the majority.

Mr. Emerson Andrews, the leading American authority on "foundation giving," has said that giving in the creative arts is the most difficult form of philanthropy, since it must itself be an act of creation, demanding conviction, courage, and a willingness to assume risks. In the university, the problems of the foundation are magnified: not only does the university have to expend funds on this undefinable objective called the creative, it must assume, too, responsibility for the physical charge of young people and justify to parents and the public its basic wisdom in exposing them to the hazards of creation. Given these weaknesses and dilemmas at the university source of our art energies, what improvement may we expect in art work in the primary and secondary schools? The answer is, obviously, not much. New devices, techniques, expenditures, programmes, teaching machines will not avail in the absence of creatively motivated people, genuinely educated in art.

WHAT IS NEEDED above all is a new attitude or, one might say, a philosophy—the philosophy of looking to art itself for clues as to what to do and what to teach. The art of the past hundred years is a vast continent of experience in both the creation of art and in the intellectual appropriation of the art of the past. Today, this continent lies virtually unexplored. Yet here alone is the ground on which can be built that community of creation out of which genuine art education must come.

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For art to become "a more central and invigorating part of the curriculum of primary and secondary schools," it must commence by becoming a more central and invigorating part of the minds of our intellectual leaders. Our educators, both in schools and out of them, have been all too generous in devoting their intellectual resources to proposing means for instructing the ignorant, whether children or adults. They have been less concerned with educating themselves, with raising their thinking to the level of the cultural realities of the age. The first lag to be overcome is the lag at the top. Perhaps to discuss "what art is today" and "what it is for" is not irrelevant to primary and secondary school education after all. It may well be that the chief message which art brings to education at any age is that it is impossible to teach unless the teacher is in the process of learning.

Soft Toy

I am soiled with the repetition of your loves and hatreds
And other experiments. You do not hate me,
Crumpled in my corner. You do not love me,
A small heaped corpse. My face of beaten fur
Responds as you please: if you do not smile
It does not smile; to impatience or distaste
It answers blankness, beyond your good will
—Blank conviction, beyond your understanding or mine.

Limp with monotony, with use and re-use,
I am tattered and torn by a thousand small things;
Being disregarded (where I can be reached
At any time) great matters stumble on me.
Loose ends of conversations, hesitations,
Half-beginnings that peter out in my presence,
Are enough. I understand, with a flame of shame
Or a click of ease or joy, inert. Knowledge
Into resignation, the process drives deeper,
Grows colder, eradicating chance growths of desire
—And clearer: all possibilities of desire.

My button-brown hard eyes fix on your need
To grow—as you crush me with tears, throwing aside.
Most they reflect, but something absorb—brightening
In response, with energy, to the energy of your changes;
A slow invertebrate accumulation
That one natural movement could disperse.
Clutched cruelly through the night, held before you,
Ragged and quietly crumpled, as you thrust, are thrust,
In dull terror into your opening brain,
I face the dark with eyes that cannot close
—The cold, outermost points of your will, as you sleep.
Between your tyrannous pressure and the black
Resistance of the void my blackness hardens
To a blunt probe, a cold pitted grey face.

Thomas Kinsella

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NOTES & TOPICS

"To Deprave & Corrupt"

ACCORDING TO A persistent piece of folklore, the Director of Public Prosecutions (D.P.P.) is guided by an official who reads books all day long to find out whether they are obscene. The official's test, it is said, is a simple one. If his reading provokes the physical manifestation of desire, the D.P.P. prosecutes. If not, the book is spared. This rule of thumb, if it were in fact operative, would be scarcely more absurd than the present confusion which arises whenever the law is invoked against art or literature.

The Obscene Publications Act of 1959, sponsored by the present Home Secretary,[1] was designed to strengthen the powers available to the authorities for suppressing the traffic in pornography, and at the same time to protect reputable artists, writers, and publishers. For the latter it provided a special defence of "public good" and admitted the opinions of expert witnesses for or against the literary, artistic, scientific, or other merits of an article. In the seven-and-a-half years since the Act became law, certain shortcomings and anomalies have become increasingly plain.

1. The traffic in pornography, far from having been suppressed, is in a more flourishing state than ever. To the hallowed paraphernalia of erotic books, magazines, photographs, and films, readily available to the customers of Soho bookshops, there has been added the *écouteur*'s dream: tape recordings of coitus and flagellation. On occasions of State importance, when an unusually high number of foreign visitors is expected in central London, the police warn shopkeepers to go easy. The warning is heeded, and for some weeks the "strong" material is shown and sold to regular customers only. At other times police interference is light, and organised (it appears) on the same rota basis that brought prostitutes into court before the Street Offences Act of 1959. It is hard to see what difference it would make in practice if the sale of pornography to adults was legalised, with suppression only of window displays and advertisements.

2. It is open to any person whose sexual anxieties are aroused by a book (or by a painting in an art gallery) to complain to a magistrate. Even where the Attorney General and D.P.P. have refused to take proceedings, a private individual may apply for a search warrant enabling a constable to search premises and seize articles, and may initiate proceedings for the forfeiture and destruction of the articles which disturb him.

3. When such proceedings are contested in a magistrates' court—*i.e.* when the publisher, say, appears before the court to defend his book and show cause why it should not be forfeited and destroyed—there is no right to trial by jury. As recently as 3 June 1964, Mr. Roy Jenkins referred to this omission as a flaw in the Act. Literary merit, he said, was a subject peculiarly unsuited for the absolute judgment of one man alone. The *Fanny Hill* case, involving the deployment of "subtle and erudite evidence," was entirely inappropriate for hearing in "a dingy magistrates' court"; it was impossible for the tribunal to form a balanced judgment; and the verdict, given in that way, was unsatisfactory. In short, proceedings before a magistrate were a most unsuitable method of procedure for this kind of case. On 11 August 1966, in a written reply, Miss Alice Bacon said she sympathised with Mr. Tom Driberg's concern that the right to trial by jury should apply in every such case, and promised that the Home Secretary intended to have the matter re-examined "when opportunity for legislation occurs." Meanwhile, as the Publishers' Association put it in their memorandum to the Home Secretary on the Obscene Publications Act (24 October 1966),

> that the sole judgment of a single Magistrate (whose views on obscenity may be well known) may be invoked by a private citizen . . . makes nonsense of the law. . . . Seizure and summons . . . is being used to deny works of possible merit a proper hearing. While this system may be invoked by a private individual for personal reasons, and carried out by a single Magistrate (who thus becomes judge, jury, and executioner) the law is being put into disrepute and works which may be justified as for the public good are in constant danger of being suppressed.[2]

4. Though an order for forfeiture is technically restricted to the petty sessions area it is

As WE GO *to press we learn that the Director of Public Prosecutions has now decided to proceed against John Calder & Boyars for publishing Hubert Selby's* "Last Exit to Brooklyn."

[1] See Roy Jenkins, "Obscenity, Censorship, and the Law: the Story of a Bill," ENCOUNTER, October 1959.

[2] The Publishers' Association were told there was no likelihood of further legislation until the session beginning October 1967.

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issued in, booksellers elsewhere almost invariably withdraw the book. Thus a single individual can in practice cause a book he personally thinks is obscene to be banned throughout the country.

5. It is becoming increasingly clear just how vague and unsatisfactory is the test of obscenity in the 1959 Act:

> An article shall be deemed obscene if its effect or (where the article comprises two or more distinct items) the effect of any one of its items is, if taken as a whole, such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it.

What does "deprave and corrupt" mean? The plain answer is: nobody knows. Mr. Justice Byrne, summing up in the *Lady Chatterley's Lover* case (1960), said it meant to make morally bad, morally unsound. So it cannot mean causing an erection, for tumescence is an involuntary process. Does it, therefore, mean causing sexual activity of a kind society disapproves of? No sexologist has yet been so bold as to analyse the relation between reading and sexual activity of any kind.[3] Yet we expect juries, and even magistrates, to decide, in a period of changing mores, on a question about which science has not so much as a scrap of experimental evidence to offer. It is an intensely personal question, the answer to which may well vary, for some individuals, almost from day to day. In each legal case, therefore, the determining factor must clearly be the degree to which jury or magistrate is free from prejudice, anxiety, and taboo.

ALL FIVE OF THESE shortcomings and anomalies in the Obscene Publications Act, 1959, or in its application, were prominent in the recent trial of *Last Exit to Brooklyn* by Hubert Selby, Jr. before the Great Marlborough Street magistrate in London.

The Great Marlborough Street court is on the northern edge of the biggest concentration of pornography shops in Britain. But the book complained of was written by a serious author, issued by a serious publishing firm (Calder & Boyars), and stocked by reputable booksellers. The Attorney General had told the Commons on 11 May that the D.P.P. had decided not to take criminal proceedings against it; and he defended this decision on 28 June in reply to an adjournment debate initiated by Sir Charles Taylor (who was supported by five gentlemen who had not even read the book[4]). Nevertheless, private proceedings were started by Sir Cyril Black, M.P.

Sir Cyril Black is a man much preoccupied with other people's sins, and is in the fortunate position of knowing what causes sin and what prevents it. His knowledge is derived from the scriptures and, ultimately, from God; and it never seems to occur to him that he may be mistaken. At various times he has opposed the sale of condoms from automatic machines; the opening of the Festival of Britain fun fair on Sundays; the advertising of alcoholic drinks on television; the liberalisation of the law relating to homosexuality; psychiatry "as a substitute for rigorous conditions and stern discipline" in her Majesty's prisons; and mini-skirts, which he thinks have been "carried to great extremes."

Professional opponents of sin run the occupational risk of losing touch with reality. They always seem to themselves to be living in a period of unprecedented moral decline. Everything around them tends to confirm this, including the works of literary moralists when these are couched in an unfamiliar idiom. To such writings they react rather as did the German officer who went to see *William Tell* and reported to his commander: "It was all about civilians shooting at fruit."

The parliamentary agitation against *Last Exit to Brooklyn* began—without the book or its author being named—just after the original Sexual Offences Bill received its second reading by 164 votes to 107 and went to a standing committee. The opposition to this Bill (which sought to legalise homosexual acts between consulting adults in private and fix the age of consent at 21) was led by Sir Cyril Black. Someone seems to have decided, at some stage, to make an example of a book with a homosexual theme. *Last Exit to Brooklyn* (which is only in part concerned with homosexuality) was not publicly named as the offending book until July 1, and then only because six M.P.s tabled a motion congratulating the law officers and the D.P.P. on the decision not to prosecute the publishers, but regretting that the main reason for the decision was that a prosecution might fail.

[3] The most recent scientific discussion is in the latest Kinsey Institute volume: Paul H. Gebhard and others, *Sex Offenders: an Analysis of Types* (1965). "The present state of confusion in the courts and legislatures," they write, "is ample evidence that these purported causal relationships [between exposure to pornography and moral decay and sex offences] have not been subjected to any scientific tests" (p. 670). And they conclude: "It would appear that the possession of pornography does not differentiate sex offenders from non-sex offenders.... Pornography collections follow the pre-existing interests of the collector. Men make the collections, collections do not make the men" (p. 678).

[4] One of them said he did not know its name, or the name of the author, or even who the publishers were, but all the same he was amazed by the Attorney General's refusal to prosecute.

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As many men of letters, testifying for the defence in Marlborough Street, argued, *Last Exit to Brooklyn* is in fact, in one reading, as stern a moral tract as any produced by Sir Cyril Black's fellow-Baptists. Hubert Selby takes an old-fashioned view of human frailty and human responsibility. Three of his principal characters, miserable sinners, come to a miserable end. Each of them had willed the means. The moral of *Last Exit*, according to its author, is "the disastrous results of the loss of control." Thus, in theme as well as technique, Selby has affinities with the American naturalists, especially Stephen Crane, Dos Passos, and Dreiser. He presents a vision of hell, inhabited by urban savages whose lives are unlit by pity, tenderness, or love.

Although the passages of explicit sexual description make up only a small proportion of the book, prosecuting counsel, prosecution witnesses, and magistrate alike treated Selby as a pornographer. To Mr. Michael Havers, Q.C., Sir Cyril Black's counsel, the book was merely a "collection of dirty stories." In Mr. Montgomery Hyde, it aroused only nausea. Captain Robert Maxwell, M.P., said it was filthy, written to titillate, and likely to undermine the morals of the young. Asked whether he was in favour of banning the *Decameron*, this leading publisher and expert witness replied: "What is the *Decameron*?" (He later admitted, when in a television debate with Mr. John Calder the matter of Joyce came up, that he had not read *Ulysses*.) Dr. Ernest E. Claxton, who possesses the doubtful distinction of having told a Buchmanite gathering a couple of years ago that chastity would remove fear of "children of mixed blood that are becoming an increasing problem,"[5] called *Last Exit* an extremely dangerous book. Depraved people were likely to pass it around, and young people might easily succumb to it, and be seduced into homosexuality. And, in spite of the evidence in the opposite sense from Messrs. Edward Lucie-Smith, Anthony Burgess, Goronwy Rees, Bryan Magee, and others, the magistrate found the book obscene and ordered the seized copies to be destroyed. None of the defence witnesses, he said, had called the book a masterpiece. And parts of it were worse than the "cyclostyled horrors" which, from time to time, came before him.

The *Last Exit to Brooklyn* case would be disturbing enough if it were an isolated instance of uncomprehending philistinism interfering with freedom of writers and readers, artists and audiences. Unfortunately it is not. Since the *Golden Convolvulus* case in Blackburn in 1965,

[5] Cf. Tom Driberg, *The Mystery of Moral Re-Armament* (1964), p. 252.

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there have been signs that a private group (or groups) of censors is at work trying to diminish this freedom. In Leeds last December, despite the evidence of nine expert witnesses (including Sir Herbert Read), two paintings of naked lovers kissing were held obscene by the magistrate. A few weeks earlier, a still more disquieting tendency revealed itself: proceedings taken against serious artists, not under the Obscene Publications Act, but under some other piece of legislation, thereby depriving them of the right to call expert witnesses. Thus Mr. Robert Fraser, the London gallery proprietor, was condemned last November under the Vagrancy Act, 1824, for exhibiting pictures of the male and female genitals by Jim Dine. And, in a case still *sub judice* at the time of writing, two organisers of a "Destruction in Art" symposium are to be prosecuted at the Guildhall for indecency "contrary to common law." This means that evidence of artistic merit cannot be called, and that the maximum penalty is fourteen years imprisonment.

THE IMPETUS which carried the Society of Authors and its supporters in the House of Commons from the dark days of the Maxwell-Fyfe "anti-vice drive," when five novels issued by reputable publishers were prosecuted in 1954, to the limited victory of the 1959 Obscene Publications Act, has long spent itself. In the field of television, some kind of resistance to the campaign of Mrs. Mary Whitehouse and her friends has been organised. Similar resistance in the fields of literature and art seems imperative, if we do not want Sir Cyril Black and his friends deciding what books we may and may not read and what paintings we may and may not see. In particular, an organised campaign for the tidying up of the legislation on obscenity seems highly desirable. No proceedings under the Obscene Publications Act without the sanction of the D.P.P.; the right to trial by jury in every case; a more precise definition of "deprave and corrupt," if possible; an end to back-door prosecutions of serious artists under the Vagrancy Act and the common law—these reforms would prevent self-appointed censors from frustrating the intentions of Parliament and turning the clock back.

Peter Fryer

The Man Who Murdered Verwoerd

Letter from Cape Town — By PAUL BLANSHARD

THE crime itself, as all the world knows, was quite simple. On the morning of last September 6th a 48-year-old man named Demetrio Tsafendas, who was employed as an outside messenger in the parliament of South Africa in Cape Town, went to his work in the parliament building as usual and donned his uniform, a lightish blue suit with green piping. During the course of the morning he interrupted his work and went downstairs to his locker in the basement. He changed into a business suit and hurried downtown, only a few blocks away. In two separate stores he bought two long knives which can correctly be described as daggers, brought them to his locker in a white paper parcel, changed back into his uniform and ultimately concealed the two daggers, one in his belt and one in his underpants. Hurrying to his regular work in the Press Gallery of the Assembly, he served tea to some journalists with such obvious nervousness that at least one reporter noticed his distraught manner.

After lunch (the Assembly was to begin at 2.15) a great crowd of members had gathered in the lobby and some had started to stream down the green-carpeted aisles to their seats before the short procession of gowned officials, headed by the Sergeant-at-Arms, was scheduled to bring in the golden mace and place it on the central table in the manner of the British House of Commons. The South African Assembly chamber, panelled in dark stinkwood, is constructed in the style of Westminster, with sloping tiers of seats on opposite sides (but with only 170 members it is much smaller). Each member has a desk and shares with one other member a green-upholstered double seat—all except the Prime Minister who has a double seat to himself on the front row of the government side.

This afternoon the Nationalist chief, the greying, 65-year-old Hendrik Frensch Verwoerd, who

PAUL BLANSHARD *attended the Tsafendas trial in Cape Town for* ENCOUNTER. *He is a member of the New York Bar and the author of many books. His previous contribution to these pages was an article on Vatican II* (ENCOUNTER, *September 1966), on which his book-length study has recently been published by Beacon Press of Boston. He is at present living in South Africa.*

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had been Prime Minister for 8 years, passed quietly through the lobby on his way to his seat. Standing near him in the hall was Tsafendas, preparing to kill him on the spot with one of his daggers. But as he tried to draw the dagger from his belt, it stuck in the sheath and Dr. Verwoerd passed through to temporary safety without noticing any hostile gesture. Then quietly Tsafendas merged into the stream of entering members. He had no right to be there since he was only one of the miscellaneous group of 140 messengers of parliament, and he did not belong to the special squad of selected messengers functioning within the Assembly chamber itself. But his messenger's uniform protected him, and nobody stopped him.

Verwoerd sat down and began to leaf through the notes he had made for his approaching speech on his public conference with Chief Leabua Jonathan of Basutoland, now the independent state of Lesotho. It was to be his first major policy address since his sweeping electoral victory in the recent national election.

Suddenly Tsafendas was there. With savage power he fell upon the Prime Minister, his arm rising and falling four times "like a piston." Twice his dagger reached a fatal mark; two of the thrusts merely wounded the Prime Minister's right arm and left shoulder. Blood spurted over the Prime Minister's clothing and the carpet. Since one thrust reached the heart, Verwoerd died almost instantly, even before his wife who rushed to the scene could reach him.

While five doctors worked vainly to revive the Prime Minister, Tsafendas was overpowered by Cabinet members and others, but not before a sharp struggle. Tsafendas is a stocky, heavily built man who had once dreamed of becoming a boxing champion. He did not give up until his face was covered with blood. As he was taken out, the chamber was in an uproar for nearly half an hour. Then the mace-bearing procession moved slowly down the aisle, the Speaker read a brief prayer in a quavering voice, and parliament adjourned.

WHY? The world's first speculation was as wild and uninformed as the first speculation about the assassination of President Kennedy. At that time half of Europe jumped to the conclusion that the Dallas murder must have been the work of Texas extremists. Did they not hate Kennedy with a murderous hate? Now the world (including America) countered by assuming that the Verwoerd murder must have been a political killing, the first fatal move toward that black revolution which has so often been predicted as the logical outcome of *apartheid*. Was not Verwoerd the chief architect of

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apartheid, worshipped by his admirers, of course, but also one of the most hated men in the world?

The real explanation was simpler and more personal. Race and class and politics entered peripherally into both murders, but the primary factors were personal and psychiatric. Tsafendas and Lee Harvey Oswald were maladjusted men in a maladjusted world, a world which they never understood and which had made no serious provision for their cure.

When the trial of Tsafendas began in October, it was evident that the South African authorities were determined to allow no repetition of a Jack Ruby assault. The South African press was relatively restrained in its comments and there was less journalistic gossip than would have appeared in a corresponding situation abroad. Even the most extreme Nationalists made no public demand for a lynching, although the emotional reaction was bitter. When Tsafendas appeared briefly before a magistrate—without neck-tie or belt—he was surrounded by cordons of police who whisked him promptly back to his cell without photographs. Although he was not assigned a lawyer during these first days of his detention, this failure was not unusual in South Africa; there is nothing comparable here to the requirement of the U.S. Supreme Court that every accused must be given the option of having counsel even in the early stages of examination.

Also, Tsafendas was not given the option of a jury trial. To most English and American citizens this denial is serious; but this view of the importance of juries is not widely accepted by South Africans, even by non-white South Africans charged with serious crime. It is said that more than 95 per cent of all South African defendants of all colours choose trial by judges in preference to trial by juries. In this case a jury trial was not granted because the government would not allow it and the defence did not want it. The government exercised its arbitrary right to exclude trial by jury by declaring the trial to be "summary"; the defence did not want a jury because the kind of scientific testimony required to save Tsafendas from the gallows would appeal to judges more than jurymen. (In this country, of course, virtually all judges, advocates and juries are white; but in the Tsafendas case this partiality for white skins was not an important factor.) Since Tsafendas was a pauper, the government assigned him counsel free of charge. The defence team, headed by the distinguished advocate, W. E. Cooper, performed brilliantly.

WHEN THE TRIAL BEGAN in the tall, panelled Court Room No. 1 of the Cape Supreme Court, all eyes were on Tsafendas. The court room was packed to suffocation—with whites. Although most of the spectators waiting in line (some of them all night) were coloured, the police managed to give nearly all the seats to the whites while the coloureds occupied two short rows at the back under the gallery. On the bench sat the judge president of the Cape Supreme Court, Mr. Justice Beyers, gowned in impressive red and grey and flanked on each side by an assessor, one an advocate and the other a psychiatrist. Under South African law in such cases the judge does the talking and pronounces the judgment but his will does not prevail unless at least one of the assessors votes with him. The principles of criminal law here are Roman-Dutch; the court etiquette is English, *sans* wigs and sometimes *sans* English. Periodically, throughout the Tsafendas trial, judge, lawyers, and witnesses would break without warning into fluent Afrikaans, leaving foreign journalists in a wordy fog. (Every successful lawyer, judge and politician here must know his Afrikaans as well as his English.)

Tsafendas, brought in by six national policemen in their light blue uniforms, was seated within the high wooden walls of the centrally located prisoner's dock and guarded like a visiting monarch. In his neatly pressed grey suit and dark striped tie he looked physically fit and perfectly normal, a sturdy man with sallow, dusky complexion, large glazed eyes, smoothly shaven face, and a thick greying pompadour which looked slightly kinky. If he had been observed on the streets of New Bedford, Massachusetts, he would have passed as one more "Portugee" from the Azores with a slight mixture of Moorish blood.

When he sat in the prisoner's dock, only his head showed above the railing during most of the trial. He listened with almost expressionless eyes for more than three days while expert witnesses tore his character to shreds. Former friends analysed almost every detail of his tragic life, describing his wolf-like eating habits, his filthy clothing, his confused religious manias, his aimless drifting through thirty countries in the vain search for a job he could hold. At times he seemed to giggle or to smile, usually at the wrong places. Most of the time he sat looking down at his hands. He appeared to be living in a world of his own.

IT WAS EVIDENT from the very first that there was just one chance to save this man from the gallows, still the prevailing device for capital punishment in South Africa, and that was to prove that he was mentally unfit to stand trial. Since there was some crude planning in the murder itself, it was easier to prove unfit-

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ness at the time of trial than unfitness at the time of the assault on Dr. Verwoerd.

Defence counsel immediately conceded the fact of the killing and asked for the kind of trial within a trial which South Africa's Mental Disorder Act provides when it is alleged that the accused is mentally incapable of standing trial. South African law in this area goes back to the English rules on insanity in the famous McNaghten case in which a defendant was acquitted of murdering the private secretary of Sir Robert Peel on the ground that he lacked criminal responsibility because of his mental condition. The Mental Disorder Act provides:

> If, on the arraignment of any person charged with a criminal offence, it appears to the judge presiding at the trial that such person is mentally disordered, the question of such a person's mental condition shall be inquired into by the Court....
>
> If such Court finds, after hearing evidence which shall include medical evidence, that such person is mentally disordered, the presiding judge shall record that finding and issue an order committing such person to a gaol pending decision of the State President.

Oddly enough, this is the very section under which former would-be assassin of Dr. Verwoerd, David Beresford Pratt, was sent to a mental institution in 1960 after shooting the Prime Minister twice in the face at point-blank range. Pratt, a wealthy English-born farmer, who was much nearer to sanity than Tsafendas, was held for many months without trial in the disturbed conditions of that year—it was the year of the famous Sharpeville massacre of natives who had staged a revolt against the pass laws—and finally committed to a mental institution as an epileptic. There he hanged himself. In the Tsafendas case the Court quickly granted the defence permission to present the case for mental disorder.

At first the task of the defence counsel did not seem easy. On the first day Judge Beyers intervened in the psychiatric testimony again and again with ill-chosen words of sarcasm, heavily salted with prejudice, seeming to discount the importance (and even the sincerity) of the specialists who had examined the prisoner. By the second day, however, the whole atmosphere had changed. It was evident that the Court was not dealing with a responsible murderer. Some of the best psychiatrists in South Africa were unanimous in their opinion that this prisoner was a schizophrenic; they disagreed only on the technical sub-classification. Even the prosecution's alienists promptly conceded that Tsafendas was schizophrenic. In the

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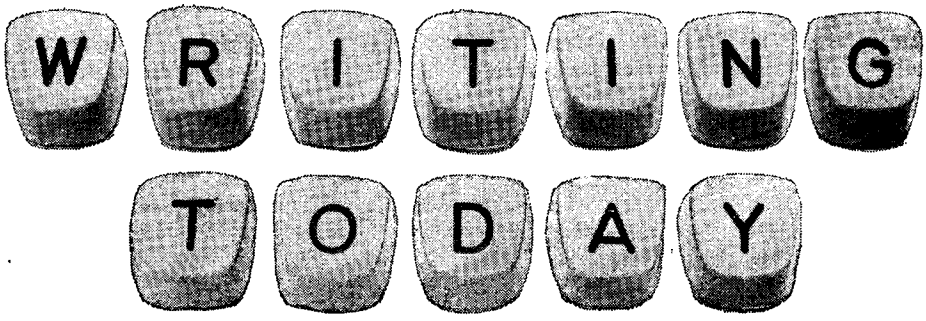

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end Judge Beyers rendered an eminently fair decision, revealing astonishing powers of memory by delivering his long analysis and opinion extemporaneously after a break of only fifteen minutes in the court proceeding. Although the trial revealed some of the ugly aspects of the *apartheid* system, the revelations were incidental. The trial itself was fair; indeed it was a credit to the bench and bar of the Cape Province.

"It would be murder," said the Court in its final judgment, to put this man to death. "It is not humane or Christian to condemn mentally-ill people." Medical considerations had triumphed over the philosophy of revenge and the older clichés of the criminal law. Tsafendas was never tried for murder; he was committed without trial as a person unfitted to face the perils of normal procedure.

WHAT MANNER of man is this Demetrio Tsafendas who will now spend the rest of his life in some carefully guarded cloister for the insane? The epic of his life is a saga of alienation and neglect. He was born of a Greek father, now dead, and a half-Negro mother, whom he never knew, in the Portuguese colony of Mozambique. (She is still living, now senile, in the Bantu quarter of Lourenço Marques, but there was no attempt to bring her into this case because she had no knowledge of her son after his first year.) The boy Demetrio was sent at the age of one to a grandmother in Egypt, then brought back at the age of six to live briefly in a new home where his father and a new stepmother seemed to treat him as an unwanted surplus commodity. So, at least, he says. We have only his version of affairs as sifted through the records of the psychiatrists. Tsafendas even says that he was forced into sodomy, induced by a relative, and that this "had something to do with the question of making him unfit for any inheritance." He has never married although he has tried desperately to find a woman who would share his fortunes.

Sent to a school for whites in the Transvaal for six years, he was rated as a dull student but was quite successful in sports and was not wholly unpopular. The boys called him "Blackie" because he was so much darker than the majority; there was no attempt to disbar him as coloured.

Then, after adolescence, there began a long period of lonely wandering from country to country and from job to job. He was never well-adjusted anywhere but he managed to secure some employment partly because he knew at least four languages, English, Portuguese, Greek, and Afrikaans. For most of these wandering years he was a merchant seaman, flitting from country to country, carrying passports from various countries, sometimes deported as "a man without a country" because he was a man of several countries. To this day it is not absolutely clear whether he can rightfully be described as a citizen of Portugal or a citizen of South Africa.

He was constantly quarrelling with his bosses, constantly revealing his mental instability. In at least four countries he was detained in mental institutions (in England, the United States, Portugal, and Germany). Sometimes he was held as long as eighteen months. Usually he was diagnosed as schizophrenic or near-schizophrenic. Twice he escaped from mental institutions and once he attempted suicide. No nation wanted to impose upon its taxpayers the cost of permanent confinement. As a vagabond of doubtful nationality he fell down in the chinks between nations.

Tsafendas' insanity betrayed itself in various types of illusions. Beginning in 1935 or 1936, he was dominated by a great medical illusion, that he was suffering from a demon-dragon-snake tapeworm with "serrated edges like a serrated saw."

"I can feel the tapeworm wriggling up toward my neck," he told one psychiatrist. "I believe that it influences my thoughts. If I did not have the tapeworm, I would not have killed Dr. Verwoerd." Although medical tests did not confirm the existence of this demon tapeworm, Tsafendas persisted in declaring that the doctors were all wrong and that his life was being ruined by this very sprightly intestinal monster. He told one doctor that segments of tapeworm were falling into his trousers "like macaroni."

As his physical illusion continued to grow on him, he turned to religion for relief. His religious illusions were milder. He developed a kind of borderline Protestant fundamentalism which would be described in America as "lunatic fringe." He developed great animosity against some Portuguese Catholic nuns who had tried to "do something" to his brain because he was not a Catholic. In a Portuguese hospital, he claimed, the Catholic authorities had tried to kill him by applying alternating current to his head. He claimed that the Portuguese régime had kept him in prison for fourteen years between 1949 and 1963 "for being a conscientious objector." This, he felt, was especially unjust because his mother was really a member of the Portuguese royal family. He became a great Bible-reader, and would sit for hours with the sacred book in his lap, repeating over and over again certain ominous verses about the future. In Cape Town he joined a tiny fundamentalist sect which refuses to name itself except to declare that its

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followers are all true disciples of Jesus Christ. For many months he sponged upon members of this sect as a free boarder, embarrassing them by eating at the table with his hat on "like a dog," wolfing great chunks of meat "to feed the worm."

His political illusions were somewhat more rational. Indeed they furnished the only clue to the answer for the specific question: why did you kill Dr. Verwoerd and not, that is, somebody else? One reason he killed Dr. Verwoerd, he declared, was that Verwoerd was "in league with the Portuguese government." Also he was "a foreigner," and "against the English way of life" and "against the Commonwealth" and "opposed to a Cape-to-Cairo union." What Africa needed, Tsafendas contended, was a policy for all races which would permit men of all races to marry freely and make one race. This was familiar revolutionary doctrine in South Africa, and the newspapers pounced upon it as significant; but Tsafendas' confused mind was incapable of consistent revolutionary thinking. Although friendly to the Coloureds, he told one white man that it would be a good thing if they were all drowned. If he was ever identified with any anti-racist movement, the information was not made available at the trial.

THREE AUXILIARY QUESTIONS have been raised by the Tsafendas case. The first and most natural one is: how could a man with his long history of mental unbalance secure employment in a post which gave him access to the Prime Minister in the holy of holies of white supremacy? Thus far the question remains unanswered. If the national security system of South Africa could be personalised at this moment and photographed in colour, the photograph would reveal a deep blush. It is true that the South African parliament, being a part-time parliament functioning in Cape Town for only a few months of each year (the executive capital is in Pretoria), must hire 90 temporary messengers each year for brief periods of service; and it is difficult in a country where white labour is very scarce to get 90 whites of suitable background. ("No non-white need apply.")

Recommendations for a better screening of such employees are already being considered by a South African "Warren Commission" headed by Justice van Wyk, a former South African judge on the World Court. Justice van Wyk has already suggested that (*1*) there should be better regulation of the sale of weapons, and (2) that a special check-list should be given confidentially to the secret police containing the name of every South African mental patient regarded as potentially dangerous by his psychiatrist. Both

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"solutions" are open to question. Knives are used for many non-murderous purposes; Tsafendas could have done the job with a kitchen knife, and a 10-inch kitchen knife quite adequate for murder can be purchased in a Cape Town department store for 65 cents. Moreover, the psychiatrists are complaining that any so-called danger list of their mental patients would violate the rule of secrecy between doctor and patient and keep many patients away.

More general and more fundamental is the question whether society is doing enough to identify and correct its mental deviates before they commit murder. Here there is no doubt about the significance of the Tsafendas story. Society did not make a serious effort to heal him in time. Each nation shuffled off its responsibility. Perhaps if he had been taken as a boy his tendencies could have been arrested. The great tragedy of nearly all deranged crime is that adequate psychiatric treatment early enough might have prevented it.[1]

The third auxiliary question raised by the Tsafendas case is more bizarre than tragic. How could the nation of *apartheid* allow a coloured man to pass as a white man and carry a white identity card into the South African parliament? There is no doubt that by genetic standards Tsafendas is non-white. If he had been born in Louisiana, he would have been ruthlessly classified as a Negro in spite of his whitish appearance. The answer to the riddle is that, in spite of its elaborate four-race compartments of White, Bantu, Coloured, and Asiatic, Cape Town society has a *genetic* colour line between whites and Coloureds which is more smudged and liberal than the corresponding *genetic* colour line in the United States. (The colour line between white and Bantu is more carefully guarded.) In current Americanese, a Coloured in Cape Town who wants to cross the line to the economic and social superiority of the white classification can get away with it if he can get away with it; the fact that he can get away with it is actually accepted by the courts as evidence of the legality of the process. The "taint" of coloured blood is taken less seriously in Cape Town than in Minnesota. (No one seems to have heard of Sinclair Lewis' *Kingsblood Royal*, partly because the censorship board has banned *Kingsblood Royal*.)

The historical reason for this rather astonishing biological leniency is not far to seek. Which one of the "best" early families of South Africa has not had at some time a "taint" of coloured blood? It should be remembered that (1) for a generation after the first white men invaded these parts there were no white women available; (2) that although all sexual intercourse between whites and non-whites has been a crime since 1949, for nearly three centuries after their arrival the Afrikaners made no attempt to prevent miscegenation by law; and (3) any serious attempt at the present time to unsnarl the tangled racial strands in the genealogies of South African society would produce a sociological and political earthquake. Literally thousands of Cape Coloureds have passed over to the favoured white classification and, if they are pale enough, there is no legal challenge.

Tsafendas fell in this category, and the revelations about his racial background at the trial caused no great sensation because the process is so familiar. During the trial a white Protestant minister told the court how he had called on Tsafendas and had warned him about the danger involved in his racial conduct, pointing out that it was contrary to law "for a coloured man to mix in white circles and conversely for a white man to mix in coloured circles." (At the time Tsafendas was living with coloured people while carying a white employment card.) The clergyman was not concerned with any moral deception involved. It was a question of appearances and economic consequences. Tsafendas accepted the warning and changed his coloured associations. He retained his white card which permits a wage scale at least 50 per cent higher than the coloured wage scale.

South Africa's rather surprising reasoning in dealing with the biological no-man's-land between whites and coloureds has recently been embodied in three Supreme Court decisions, two of them already published in the August *South African Law Reports*. They supersede and modify the earlier court decisions which emphasised "lineage or breed." A white male dancer (with a coloured mother and a white father) who had moved away from his predominantly coloured home and occupied a flat with two white students at the University of Cape Town suddenly had his classification as a white changed to coloured by a government board under the Population Registration Act. Was he coloured or white? He challenged the re-classification.

The court, in rejecting the genetic evidence as not controlling, reminded the public that South

[1] Years ago when I was Director of the Society for the Prevention of Crime in New York City I reported that the city's greatest weakness in handling potential crime was the inadequacy of psychiatric examination and care for disturbed children in the city school system. I asked for the trebling of appropriations in this area. The request was ignored. One of the disturbed children of New York City, later found to be "potentially dangerous" because of schizophrenic tendencies but who was never given follow-up care, was Lee Harvey Oswald.

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African law defines a white person as a person who

> (*a*) in appearance obviously is a white person and who is not generally accepted as a coloured person; or
> (*b*) is generally accepted as a white person and is not in appearance obviously not a white person. . . .
> [The court could have added another quotation from the law] A person who in appearance obviously is a white person shall for the purposes of this Act be presumed to be a white person until the contrary is proved.

The court concluded that "the primary criteria for determining whether or not a person falls within this category [white person] are appearance and acceptance. Descent only plays a secondary role . . . modern legislation . . . has tended to move away from tests of descent and past history." Result? The male dancer was again classified as white, not because of any fresh biological evidence—his mother is still coloured—but because he had attained the safe harbour of appearance and acceptance. One of the major factors in his victory was the proof that he had left his coloured home and that he rarely visited any coloured home. His mother had warned him not to bring any coloured friends home. Her reward was to see her son promoted to a superior caste.

So Tsafendas had attained racial promotion early in life, and his escalation would have passed unnoticed if he had not murdered the Prime Minister. As it is, no one now cares whether he is coloured or white. Regardless of colour, he was given a fair trial under the rule of South African law. He will sit alone gazing with glazed eyes at a world he cannot comprehend. If he ever regains sanity, he will only face the renewed possibility of the gallows. Stalwart guards, employed at public expense, will presumably prevent him from taking his own life, since it is one of the requirements of our civilisation that he must absent himself from felicity awhile.

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London Commentary

Parliament and Political T.V.

By Jay Blumler

DOES IT MATTER whether parliamentary debates are broadcast or not? At first glance the significance of the question seems only marginal, but the full implications of the rejection by the House of Commons on 24 November of an experimental televising of its proceedings are quite profound. The debate disclosed deep-seated reservations in the minds of many legislators about the nature of British democracy—and of their own place in it. It revealed the strength of their anxieties about the character of political communication in the television age. It raised a moral issue that Paul Bryan (the Conservative spokesman on broadcasting) posed in his contribution: Has the public a right to scrutinise the workings of its political institutions by the most popular means of communication available today? And, if such a right is claimed, there is the further question of what can be done to secure it in view of the present feelings of the House.

The analysis of what happened on 24 November should start from the sense in which the vote was striking and out of the ordinary. This has little to do with its unexpected outcome or narrow margin. The result was startling mainly because it administered a sharp check to the aspirations of television producers and journalists in the news and current affairs field.

The area of their freedom to report and comment on politics had expanded steadily ever since the Rochdale by-election of 1958. With the removal of each arbitrary barrier, other restrictions came into view and were challenged successfully in their turn. Successive elections provide the milestones that measure this development. In 1955 the parties' own broadcasts virtually dominated the campaign. In 1959 fairly full reportage was provided in late news bulletins, and television began to make a modest contribution of its own to the campaign. For example, Granada presented an *Election Marathon* (in which many northern candidates addressed the viewers briefly, constituency by constituency), and the BBC devised *Hustings* (in which regional politicians answered questions asked by electors in studio audiences). But the regular national current affairs programmes were taken off the air for the duration. In 1964 current affairs programmes remained in business, and television's independent contribution was significantly enlarged by *Election Forum* (a series of three BBC programmes in which interviewers put questions sent in by viewers to the leaders of the Liberal, Labour, and Conservative Parties). With one exception, however, the politicians refused to debate the election issues face-to-face with their opponents. By 1966 that line of resistance had been overcome, and ten "mini-confrontations" were staged in *Panorama*, *This Week*, and *24 Hours*. In fact the drive of the broadcasters for greater scope in the coverage of politics had never before met an important rebuff—except in the special case of a high-level party-leader debate along Kennedy-Nixon lines. But now television seems almost to have reached the end of a long road of journalistic advance. It is as if the politicians have switched on a red light and proclaimed, "Thus far but no further." If so, why have they taken this stand?

A READING of *Hansard* shows that a variety of reasons stiffened their resolve. Considering the proposal pragmatically, some MPs may have doubted—especially after hearing Richard Crossman's unimpassioned opening speech—whether the alleged advantages of televising Parliament were sufficient to justify all the attendant costs, effort, and anxiety. Ostensibly advocating an experiment, the Leader of the House dwelt at length on the "serious technical problems" that remained to be solved. When would unobtrusive cameras be available? Should the press be permitted to see the results and to report how various Members had fared? Could Question Time be presented adequately? (Since queries are not put orally to Ministers, they might have to be read out by a commentator for the benefit of viewers.) How would reaction shots, which

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"can make or mar reputations of Members", be taken? He announced that the estimated costs had escalated from a sum of £90,000 for an eight-week experiment to £150,000 for a five-week trial, and that a half-hour summary programme would make use at most of only two per cent of the material taped from a single day's proceedings. No wonder that Mr. Charles Pannell subsequently asked why they should struggle after a liability. It was necessary for Mr. Bryan to remind the House of the deeper issues of principle at stake and to put that democratic case for televising the Commons which Mr. Crossman had neglected. If democracy, he argued, was to mean more than an occasional act of voting, electors should be shown not just "the pageantry and symbolism of the Opening of Parliament" but also its whole working life.

Another source of resistance was sentimental traditionalism and a fear of television as a potentially disturbing agent of unpredictable change. The resulting clash between defenders of the status quo and would-be modernisers of the House proved rather inconclusive. The keynote of the former position was sounded by Quintin Hogg who proclaimed his faith that "this is one of the great institutions on this planet, of the human race, and I would not risk its being fundamentally altered for the world." And two of his supporters actually prefaced their remarks with the disarming confession, "I may be considered a complete 'square' but...." One strand in this conservative thesis was a claim that the electorate would not be able to appreciate certain features of Parliament—most notably the vast vistas of empty benches. Mr. Christopher Rowland even embraced the "necessary myth that people should believe... that we sit here most of the time"! More modernising spirits (Messrs. T. L. Iremonger and Airey Neave) warned that unless the House seized the opportunities offered by television it was in danger of withering away on a vine of irrelevance and of becoming just another respected ancient monument. Mr. Jack Ashley attributed the strength of the Mother of Parliaments to her adaptability, not her resistance to change, and several speakers welcomed certain specific reforms they hoped television would induce. But that outlook was vulnerable to the argument of Mr. John Mendelson that any changes should "come about by decision of Members... and not by the introduction of a machine from outside."

PROBABLY THE DECISIVE SOURCES of the refusal to admit television into the House of Commons were two sorts of mistrust: of the public and of broadcasting. That is, those who trooped into the "No" lobby were apparently influenced,

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more than anything else, by (*1*) doubts about the electorate's interest in following the deliberations of Parliament, and (*2*) alienation from the coverage of politics that the television services provide at present.

In developing the first of these themes, for example, Mr. F. Blackburn asserted that the demand to televise Parliament had been whipped up artificially and did not come from the electorate at large. Miss J. M. Quennell claimed that her constituents feared a disruption of their favourite programmes. Mr. J. S. Forrester warned that the public's tolerance of political materials might be overstretched. It was not only the *degree* of public interest in parliamentary affairs that was questioned, however, but also its *quality*. The television audience, Mr. Rowland said, was "vast and capricious." Others implied that it would focus chiefly on extravagant and out-size personalities, and prove quick to judge but slow to learn. As Mr. Pannell put it trenchantly, television cannot foster a better understanding of Parliament because most people will make snap judgments about it.

Perhaps the uncharacteristic modesty of this assessment by politicians of their popular appeal is welcome! But how valid is the underlying line of argument?

EVIDENCE collected by the Granada Television Research Unit of the University of Leeds suggests that in going overboard for realism, the opponents of the televising of Parliament have underestimated the wishes and capacities of the British public. It is true that only a tiny minority play an active part in civic affairs and that politics assumes a low position in the order of priorities of most other electors. But this does not entail the complete extinction of any interest in politics. On the contrary, such an interest, though faint in many cases, is quite widespread, and television is the medium through which the majority wish to pursue it. Moreover, its foundation is remarkably unfrivolous, for it derives in great part from a down-to-earth recognition that the individual's personal circumstances—whether it be his pension, the education of his children, the mortgage he pays, or his family's standard of living—depend very much on how the country is governed. In so far as viewers would welcome specifically the televising of Parliament, it is largely because they think that it would help them to judge what goes on there for themselves, instead of having to rely, as at present, on the second-hand accounts of journalists and diverse pundits. Perhaps many so-called snap judgments would result at first from admission of the cameras into the Commons. But there would be an antidote to this tendency in the transmission of a steady stream of materials from Parliament to the public over the longer run. The lasting effect of exposure to these materials would probably be the absorption by many viewers of a reasonably accurate impression of the work of the House. And if *that* cannot be borne, then there really must be something radically wrong with the present set-up of Parliament itself.

Although one third of a Yorkshire sample have said that they liked the proposal to televise Parliament "*very much*", it is impossible to predict in advance how large the audience for a late-night summary of the day's proceedings in the House of Commons would actually be. Except at times of above-average political excitement, its TAM rating might tend to be somewhat low. Popular exposure could be considerably increased by releasing the tapes, as the Select Committee recommended, for use in ordinary news bulletins and current affairs programmes. But this suggestion exacerbated the second major theme of mistrust by which the House debate was dominated.

The Select Committee had argued that Parliament should not censor the picture of itself that television projected, but many MPs felt uneasy about the liberties that might be taken if the taped record of the Commons' activities was freely available to all and sundry. Mr. Crossman himself expressed doubts about "a system which relies on recording every syllable we speak, every gesture we make, and then lets others outside make what use of it they like." Selwyn Lloyd was anxious about producers being able to "pick out bits and give them a slant." And Mr. Pannell's imagination "boggled" at what outside agencies might do if they were allowed to edit tapes. This train of anxieties added up to something like a vote of "no confidence" in modern television journalism.

What were its sources? One is epitomised by Mr. Pannell's revealing *cri de coeur*, "There is no end to the impertinence of this medium." (Such a note had already been sounded on several previous occasions by numerous lordly and distinguished contributors to the correspondence columns of *The Times*.) This reaction reminds us that not so long ago Britain was a highly deferential society, in which various authorities—*e.g.* churchmen, doctors, dons, and politicians—were the beneficiaries of a great deal of respect. In recent years, however, a more egalitarian temper has tended to prevail, and television in particular has acted as a levelling force, exposing the deeds of previously sheltered authorities to public examination, and according them less deference than they had formerly enjoyed. This process is represented by the tele-

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vision interview, in which a political leader may be asked to give an account of himself in response to a barrage of questions, some of them quite challenging and critical. From this point of view the decision to keep the cameras out of the House of Commons symbolises the incomplete identification of some British politicians with the spirit of democracy.

In addition, their mistrust feeds on doubts about the motives of television journalists. Mr. Pannell hit this nail right when he asked what would be the point of the exercise. Was it to provide entertainment? That was not the purpose of Parliament, and MPs were not paid performers. Mr. J. T. Price also expressed his fear that "if the television boys and those who agree with them have their way", the Commons would be reduced to the status of "a performing flea circus." Although these remarks are extreme, they spring from a sound moral foundation. No politician is obliged to appear on television merely for the amusement of viewers; he can only be obliged to make himself available if the aim is to raise the level of political information and understanding prevalent in the general public. It is legitimate for MPs to point out that in a sense politics and show business do not mix.

BUT IS IT ALSO FAIR to imply that television journalists do not observe this distinction? Four speakers defended their impartiality and trustworthiness, and Mr. Bryan even feared that their keenness to prove responsible might lead to an excess of sobriety rather than sensationalism. Clearly the high degree of professional dedication, which men like Alastair Burnet, Robin Day, and Ian Trethowan apply to their task of explaining and illuminating political situations and issues for viewers, is widely (if not universally) appreciated. Unfortunately, it is difficult to maintain that the hands of the television services are entirely clean in these matters. When the BBC merged the *Gallery* team with that of *Tonight* into *24 Hours*, and when the appearance of *The Frost Programme* coincided with the removal from Rediffusion schedules of *Division*, the authorities seemed to be trying precisely to combine show business with politics. They can counter-argue that a jazzier production may expose a larger audience to inserted items which provide a more serious type of political analysis. Even so, disquiet about the intentions behind the presentation of some political items may be provoked by such practices as: the devotion of only a few minutes to a complex question; the staging of a "punch-up" seemingly for the sake merely of the heat it promises to generate; and conducting interviews with extremists who seem to have been chosen more

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for their provocation value than for the relevance of their opinions to a public issue. The bulk of current affairs output is untarnished by these practices, but the BBC and ITA might consider how far they have helped to sour their relations with some politicians.

Meanwhile it is difficult to envisage a constructive line of advance. No democrat can wish the House of Commons to retreat permanently into its shell, and to reinforce the image of itself as an esoteric club, the mysteries of which cannot be shared with the masses. In their present mood, however, MPs are unlikely to support the free-for-all that the Select Committee advocated. Mr. Crossman's proposed safeguard—that nothing should be done to bring the House into ridicule and contempt—will not reassure many doubters, since it could be enforced effectively only in the case of the most grave infringements. A trial run on radio offers no solution, for few of its lessons would be applicable to a visual medium. And to televise the Lords but not the Commons is inconceivably ludicrous: a case of *Hamlet* without the Prince if ever there was one.

ONE APPROACH THAT DESERVES exploration would strengthen the real control of the House of Commons over the broadcasting of its deliberations. The Select Committee proposed the creation of a House of Commons unit, the work of which was to be confined to the preparation of a master videotape of each day's entire proceedings. Perhaps many anxieties would be allayed if it assumed two additional functions.

First, it could prepare the half-hour summary programme that would be transmitted intact on one of the television channels every week-day evening. In discharging this function it could employ on contract the talents of any of the reporters who are prominent in current affairs television today. The safeguard would lie in their answerability for their work to a body of the Commons.

Second, the unit might deal with requests from news and current affairs teams for permission to screen specified extracts from the master tape for use in their own programmes. To be consistent with tight programme schedules, such an arrangement would have to operate flexibly in practice. But it would at least give the House a powerful sanction against any irresponsible tendencies, while offering the current affairs producers some access to actuality materials from Parliament.

This solution would curtail journalistic freedom, but it might prove acceptable to all the interested parties on the principle that half a loaf is better than none. And as mutual confidence grew, the controls would probably slacken and relax. It would certainly be a pity if, in the absence of some such arrangement, Parliament was unable to benefit from the great potential for civic education that television provides.

Pathetic Maundy Money

THERE HAS BEEN of late a considerable uproar, mostly in the *Times Literary Supplement*, about the policies and cash awards of the newly constituted Literature Panel of the Arts Council. A potted version of the controversy seems a necessary prelude to speculation on state support for literature, since one or two relevant questions were asked; and anyway if one omitted to mention it there would certainly be accusations of malpractice, distortion, suppression, cynical disregard for literary values, and other wickedness. I had also better mention at once that I am a member of the panel, though in this note I speak entirely on my own account.

The row began on 20 October, when a *T.L.S.* leading article commented upon the Council's Annual Report. It criticised the decision to give prizes to older and neglected authors, the handling of certain funds, the purchase of certain items for the National Manuscript Collection of Contemporary Poets, and some other matters. It also disapproved of the rule that applications for bursaries and grants have to come from sponsors, and not from the writers themselves, suggesting that this might be hard on provincial aspirants. It further conjectured that there might be a certain amount of literary graft concealed by the "benign unanimity" of the decisions announced. Although we were told that the article provoked many letters to the editor, we had to wait till 3 November before any appeared. Then Mr. Anthony Burgess wrote to say that he worked hard enough not to need a bursary, and that he disliked the prospect of writers having to find out who was on the panel and writing to please them. What we needed, in his view, was a "library impost" and a more equitable tax arrangement for writers. Mr. Tom Maschler merely wanted to know why there had been no reply to the criticisms of the leading article.

A stranger might be forgiven for suspecting that even at this stage a certain ill-will has become evident—that, for example, the *T.L.S.*'s speedy inference as to literary infighting on the panel is itself primarily an instance of literary infighting. And it has even been suggested that the author of the anonymous article has a certain zest for the sport, belonging, as perhaps he does, to three karate clubs—the *T.L.S.*, a Sunday paper in which he writes under a *nom de guerre*, and a little magazine of high

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repute and fearless demeanour, which he edits under his own name, and which has in the past been the worthy recipient of an Arts Council grant. Whoever he may be, this author, you might suppose, would have found it simple enough to discover (without attracting the censure of the Press Council) something about the tone of the panel's deliberations. And Mr. Burgess—who, like the anonym, was himself a sponsor—could easily have satisfied himself that the panel concerns itself not only with awards but with many other matters, of which they publicly profess public lending right and the reform of the income tax law to be among the most important. But who supposed that fair treatment was part of the plot? Interest was kept alive while the *T.L.S.* pickled its second rod, the leader of 10 November.

Amidst a good deal of flyting this piece contained, I think, two proposals. Grants should not be made to writers, but to little magazines ("it is much less easy," says the anonym with real feeling, "for deserving magazines to keep their heads above water than for most authors") and to "uncommercial publishers." These grants should come from a Books Council, which would also encourage provincial literary activities, "organise talks, discussions, and readings . . . classes for mutual criticism."

This campaign for Literary Rearmament produced a voluminous correspondence, some of it open to the suspicion of having been arranged on the lines adopted by an analogous Rearmament Movement, as in a lifeless but very loyal letter from some young Oxford dons. Other letters were clearly spontaneous, and some specified grievances which merited investigation. There were again suggestions that the members of the panel were on it chiefly to further their own interests. Mr. David Holbrook said he had found the Poetry Panel (from which the new panel developed) trivial and tedious, and that the grants were anyway only "pathetic Maundy money," which may well be the most pertinent contribution to the debate made in this correspondence.

On 8 December the anonym returned for his third charge. The grants and bursaries had by this time been announced, and he did not think they represented a sensible way of spending the large sum of £23,000. Mr. Vincent Brome, in pointed letters to the *T.L.S.* and the *New Statesman*, reminded us that all the writers who had written to say that money should not be wasted on writers were apparently in very easy circumstances themselves. And there it all ended, very suddenly.

FOR THE SAKE OF completeness, and because it contained some good sense, one should here add

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a word about the subsequent broadcast discussion (published in *The Listener*) between Eric Walter White, the Arts Council's Literature Director, and Karl Miller, then literary editor of the *New Statesman*. Mr. Miller favoured the institution of a state publishing house, or rather an extension of the activities of H.M. Stationery Office, which already publishes some books not directly related to technical or governmental matters. His idea was that such a house could operate in competition with commercial publishers, make money if it could, but also take risks on "non-productive but good writers" and works which might seem too great a risk to a purely commercial firm. The difficulty with this scheme (as Miller went on to mention) is that the number of such authors is probably very small; he could not, and I cannot, think of an instance of "the eventual publication of a really fine work which had met with no response at all [from commercial publishers] over a period of years." And Mr. White, who was not unsympathetic to the idea, added quite rightly that we are not at present at all badly off in respect of publishers who are willing to take a chance on unusual books.

This is a plan which calls for more discussion. Meanwhile it is easier to agree with Miller when he concedes that there is at present justification for direct benefactions to writers with a legitimate claim on the public interest—not all of whom will necessarily be found in the London area. (This last proviso raises a point that does need watching.)

This brief *Listener* discussion made a real contribution to the debate, which is more than can readily be said of the long *T.L.S.* campaign. Ostensibly, as Miller observes, it was a broad enquiry into the principles of this kind of patronage; but in fact it was chiefly concerned with particular allegations of scandal or injustice. Unless you count all the space given to the matter as advertising, it is hard to see that much has been gained by the rumpus. It is true that, assuming there ought to be grants and bursaries, the selection procedures can be improved. It is true that nobody should suppose he establishes a claim on public support merely by setting up as a writer; and also, incidentally, that no one should think he does so by setting up as editor of a little magazine.[1] The *T.L.S.*, with a great spread of shot, scored one or two hits. But nothing was said, I think, to persuade the most open-minded observer that the present policies of the panel are quite wrong. They will, of course, need amendment; but nobody has made a case for root-and-branch reform. So the position remains substantially as it was. Some large proportion—perhaps a half or two thirds—of its income will go in prizes, maintenance grants (augmenting publishers' advances), and bursaries. It will continue to work towards some kind of "library impost" (to end the anomaly of the present system, under which thousands may read a writer without financial benefit to him), the necessary tax reform,[2] and much else that is within its competence, including the provision of funds and opportunities in the provinces. The *T.L.S.*, which did not hesitate, in the course of the controversy, to call itself, in its own columns, a "responsible journal"—perhaps no anonymous critic should be allowed to describe himself as a "responsible journal"—seems in this instance to have neglected to make a responsible contribution.

As ONE THINKS OVER the whole affair, the most surprising single aspect is that only Mr. Holbrook seems to dissent from the general notion that the panel is handing out vast sums of money. Yet most of the difficulty surely arises from their being so small and above all so few. Some contributors to the debate appeared to have convinced themselves that an award of £800 guarantees the lucky applicant a prolonged period of riot or sloth. But the amounts awarded are less significant than the number of awards. If they were ten times as many we should hear much less argument about individual bursars—the criticism that this or that writer is very unlikely to produce a masterpiece would at once lose its point. The best anybody can hope for by giving money away is good books; the rest is luck or grace. If this is wrong there is simply no point in giving state money to writers, or in otherwise easing their burdens, and the panel could just close down. If it is right, the bursars are at present judged by inappropriate standards simply because they are so few.

[1] The difficulties of little magazines, it may be worth mentioning, often arise from the initial ignorance of their editors concerning the non-literary part of their job: accounts, subscription lists, and so forth are badly kept or even lost. This is a state of affairs which literary people may find understandable or even congenial, but it is one which baffles and irritates benefactors—even prospective benefactors. I have myself seen one such journal lose the chance of support on a scale that would have ended all its worries, simply because the intending backer could not, after careful enquiry, find out exactly *what* he was taking on.

[2] This is a matter of persuading the Inland Revenue to allow writers to "spread" their income, for tax purposes, over a period which would include lean as well as good years; and to reverse the decision whereby the sale of an author's copyright (his stock-in-trade) cannot be treated as a disposal of capital assets. Various professional associations have, of course, been long engaged in this crusade, apparently with more justice than success.

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Ideally, I think, the awards should go to people who have settled for the *deuxième métier*. We shall never be able to afford many writers who do nothing else but write and commit themselves to living by it, though the notion that this should be possible seems to have persisted here longer than anywhere else. The awards should accordingly be thought of as sabbatical in character, like, for example, the American Guggenheim awards. You are offered six months or a year to collect your thoughts, do some spadework, or finish a book. This is, of course, perfectly commonplace in the U.S., and the annual list of "Guggenheims," which is very long, and which contains distinguished names, also contains names much below the calibre of those on the Literature Panel list. And the grants are much higher. The Guggenheim set-up is professional; it uses paid assessors and calls, in each case, for several expert opinions. But obviously it must have made unfruitful grants, since you cannot eliminate wastage in such an operation, and it has certainly sponsored dull work. Nobody criticises it for this, or because it gives money to people who already have perfectly good jobs. A Guggenheim does not save your life, it gives you leisure for a limited period, and you go back to your normal occupation.

Of course we cannot afford such schemes (there are others beside the Guggenheim) just as, except at Oxford, we cannot afford to give our dons sabbaticals. I mention this in passing because there is something to be learned from it. American sabbaticals (which in certain institutions are as frequent as every fourth year) do not merely, as some still profess to believe, produce a great weight of perfunctory or indifferent scholarship: they are also responsible for the fact that most of the genuinely creative work in the humanities is done there.

As usual, it is really rather a question of what we decide to afford, and we have given a low priority to good writing, and to education generally. The two are intimately related, of course; and in making do with the money available we should remember this. Every writer should be considered in relation to a possible public, not only because the public is paying, but because this is good for writers. It is not the business of the Arts Council to enable authors to turn their backs on readers. In the end the real advances must come from the interaction between original writers and a highly prepared public.

It follows that contact between writer and prepared public must be facilitated wherever possible. Here again we shall have to adapt American practices to our own situation. American writers are ordinary features of college and university life, not only as occasional speakers but as temporary and permanent members of faculties. John Barth, Saul Bellow, John Berryman, Robert Lowell, Richard Wilbur, Norman Brown, to name the first six who come to mind, are examples; and there are English poets, novelists, and critics who join in and are better known and understood in the U.S. than at home. There are snags, of course. Far fewer people here go to college, and there is far less money to spend. Our university courses in literature at present bear very little relation to the project as I understand it, which is the preservation and development of a literary public. But it would clearly be right to spend money on attaching writers to universities, colleges of education, even large comprehensive schools—not to teach formally, certainly not to teach "creative writing," but in any way possible to develop the necessary community of interest. Under present conditions it could not be done wonderfully, but it could be done; and to do it would be to create an environment in which the improvements necessary to its being done well might follow.

Good writing costs money, and it is extremely unlikely that the money it costs will be exactly commensurate with what is to be got from the sale of books. It has to be subsidised, as for example most contributions to this journal are subsidised not only by Mr. Cecil King but, less directly, by the salaries of its authors. A writer's decision to do without support of that kind is entirely his own affair, and does not constitute a claim on the public. Public money would be best used in some kind of sabbatical grant (and the recipient who obviously benefited by such a grant would have a strong claim to another five or six years later). Some money should be kept, as it is now, for cases of extreme need, where a charitable relaxation of standards is appropriate; but on the whole the panel should always be expecting results, even though it cannot in the nature of the case be certain of getting them. Incidentally, the panel does not, and should not, set itself up as sole arbiter of merit; it has the last word (someone *must*) but the sponsors have the first, and everything depends upon the sobriety, impartiality, and conviction of their proposals. In the case of a writer who for one reason or another has no easy access to a suitable sponsor it is clearly the business of his publisher to arrange it. As to the awards themselves, they might in some instances, and not only in poetry, be associated with residence at colleges and universities. Above all, there ought to be many more awards and more prizes; we can be grateful for the recent advance without giving up that conviction. The really absurd view is that we were doing better when we had none at all.

Frank Kermode

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The Memory Theatre

By Marshall McLuhan

IT IS PERHAPS characteristic of many areas of human interest that whenever a new technology appears it should act as a mirror for the preceding technologies. In this century electric memories have introduced an entirely new skill into the storing and retrieving of information. By microcard it is now possible to have the contents of all the libraries of the world on one desk top. Preceding this development by several decades had come the rediscovery of the corporate memories of whole societies. Folklorists and anthropologists had recovered the tribal and social memories of whole cultures at the same time that the symbolist poets had come to regard language itself as the inclusive storehouse of racial memories. *The Art of Memory* presented by Frances Yates[1] concerns the techniques devised in the early stages of phonetic literacy to provide not a corporate but a private memory for literate people. It was not only the orator who had need of an artificial memory for the marshalling of his *narratio* (events, and things) and for the management of his figures of words and emotions and arguments. The advent of the manuscript book made an artificial memory necessary to readers as well as to orators since the slowness of reading manuscripts made it difficult to use them as works of reference.

The mechanically produced, or printed book, was an altogether different matter, both as a storage and as a retrieval system. Printing spurred a great revival and development of the artificial memory system during the Renaissance. Indeed, this is one of the main themes of *The Art of Memory*. Printing gave easy access to the traditional treatises but gradually made the cultivation of an artificial memory seem quite superfluous.

With this study of the fourth branch of traditional rhetoric Dr. Yates has almost closed a technological gap, as it were. The first branch of rhetoric, *Inventio*, or discovery, in many respects the most complex of all the branches, has yet to be studied with the care that Dr. Yates has given to *Memoria*, and that others have given to *Dispositio*, *Elocutio* and *Actio*. B. L. Joseph's book *Elizabethan Acting* (1951) is an instance of the study of *Actio*, or *Pronuntiatio*, the fifth part of traditional rhetoric. Walter Ong's study of Ramus (1958) handles *Dispositio*. *Elocutio*, or the figures of style and the doctrine of decorum, has had most of the attention in recent years. But Dr. Yates is the first to give serious attention to *Memoria*.

So rich is the subject that even her incidental observations are very rewarding. For example, in alluding to E. Panofsky's *Gothic Architecture and Scholasticism* she indicates not only that the medieval cathedral was a memory theatre but so, in large part, were the scholastic Summas. Moreover:

> That Dante's *Inferno* could be regarded as a kind of memory system for memorising Hell and its punishments with striking images on orders of places, will come as a great shock, and I must leave it as a shock. It would take a whole book to work out the implications of such an approach to Dante's poem.

She cites:

> The *Phoenix, sive artificiosa memoria* (first edition at Venice in 1491) by Peter of Ravenna became the most universally known of all the memory text books.

The Joyce student will recognise the relation of this title to the Phoenix Playhouse section of *Finnegans Wake* which strategically precedes Joyce's section on The Trivium and the Quadrivium.

Dr. Yates begins her study with the classical techniques in use in the ancient world.

> ... The first step was to imprint on the memory a series of *loci* or places. The commonest, though not the only, type of mnemonic place systems used was the architectural type. The clearest description of the process is that given by

[1] *The Art of Memory*. By FRANCES A. YATES. Routledge and Kegan Paul, 63s.

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> Quintilian. In order to form a series of places in memory, he says, a building is to be remembered, as spacious and varied a one as possible, the fore-court, the living-room, bedrooms, and parlours, not omitting statues and other ornaments with which the rooms are decorated.

The reader of Siegfried Giedion's *The Beginnings of Architecture* will realise that enclosed or architectural space is a relatively late development indicative of a high visual culture. Dr. Yates is not concerned with the technologies that foster a visual gradient in a culture. The most potent of all such technologies is the phonetic alphabet. Today, with the rise of nuclear physics and its non-visualisable speeds and data, our Western world is losing its visual orientation. It is perhaps this decline of the visual in our electronic world that renders us increasingly sensitive to the culture and qualities of pre-literate peoples. The use of architectural form for the "places" of memory is highly significant of the intense visual stress created by the new literacy. Eric Havelock's *Preface to Plato* (1963) is also a study useful to students of *Memoria*. Havelock is concerned with the educational establishment that preceded the literate one. There was a corporate memory theatre, or "tribal encyclopedia" of memorised poetry that preceded the contrived "places" of the private memory theatre. It is Havelock's claim that Plato's war on the poets was systematically directed against this tribal memory theatre as the prevalent system of education.

Associated with the "places" were the images to be placed in these locations. She quotes the *Ad Herennium*:

> We ought, then, to set up images of a kind that can adhere longest in memory. And we shall do so if we establish similitudes as striking as possible; if we set up images that are not many or vague but active (*imagines agentes*); if we assign to them exceptional beauty or singular ugliness; if we ornament some of them, as with crowns or purple cloaks, so that the similitude may be more distinct to us. . . .

It was held that "the duty of an instructor in mnemonics is to teach the method of making images." When the Schoolmen translated Aristotle's phrase *nous poietikos* they used the words "*intellectus agens*" or the agent intellect. The function of the agent or making intellect extends to the very idea of knowing. Knowing as making is an idea central to Aristotle and Aquinas. Basic to the *imagines agentes* is the poetic or making process, *Inventio*. Perhaps Dr. Yates does not sufficiently stress this multi-sensuous involvement in making that characterises *imagines agentes*. It is this highly creative function in the art of *Memoria* that made it natural for St. Augustine to relate memory and the very principle of identity.

THE ART OF MEMORY, while relying on architectural modes, was by no means merely pictorial in character. That is to say, pictorial or visual space has special properties of uniformity, continuity and connectedness which are not to be found in our other senses. The indifference to merely visual or "rational" space even in the later Middle Ages is the theme of D. W. Robertson's *Preface to Chaucer* (1963). The stress on non-visual space before the Renaissance helps to explain one of the problems that Dr. Yates encounters:

> Very singular is the art of this invisible art of memory. It reflects ancient architecture but in an unclassical spirit, concentrating its choice on irregular places and avoiding symmetrical orders. It is full of human imagery of a very personal kind; we mark the tenth place with a face like that of our friend Decimus; we see a number of our acquaintances standing in a row; we visualise a sick man like the man himself, or if we did not know him, like someone we do know. These human figures are active and dramatic, strikingly beautiful or grotesque. They remind one more of figures in some Gothic cathedral than of classical art proper. They appear to be completely amoral, their function being solely to give an emotional impetus to memory by their personal idiosyncracy or their strangeness. This impression may, however, be due to the fact that we have not been given a specimen image of how to remember, for example, the "things" justice or temperance and their parts, which are treated by the author of *Ad Herennium* when discussing the intervention of the subject matter of a speech. The elusiveness of the art of memory is very trying to its historian.

The same iconic and discontinuous character belongs in a special degree to all the figures of rhetoric. The rediscovery of the advantages and attractiveness of the iconic mode came in with the Gothic revival and is central to the entire symbolist movement.

WHEN VALÉRY observes that the traditional figures of rhetoric portray postures of mind in act, he may well have provided the needful means of recognising the renewed relevance of these iconic patterns. The revival of patristic and scholastic forms of thought at the end of the nineteenth century seems to express a similar preference for abrupt contours of abstract art forms in contrast to the chiaroscuro and gradations of conventional pictorial art and prose. In *Modern Painters* (1843–60) John Ruskin insisted upon the same quality of abruptness and discontinuity in celebrating the advantages

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of Gothic art. He anticipates, as it were, a manifesto of Pop art in this connection:

> ... Hence it is an infinite good to mankind when there is full acceptance of the grotesque, slightly sketched or expressed; and, if field for such expression be frankly granted, an enormous mass of intellectual power is turned to everlasting use, which, in this present century of ours, evaporates in street gibing or vain revelling: all the good wit and satire expiring in daily talk (like foam on wine) which in the thirteenth and fourteenth centuries had a permitted and useful expression in the arts of sculpture and illumination, like foam fixed into chalcedony.

Ruskin's insights seem not to have been lost upon Rimbaud whose *Illuminations* are structured on the Ruskinean principle of the grotesque as a multi-dimensional art of discontinuity. Rimbaud had spent some time in England prior to the making of *Illuminations*.

> ... It is with a view (not the least important among many others bearing upon art) to the re-openings of this great field of human intelligence, long entirely closed, that I am striving to introduce Gothic architecture into daily domestic use; and to revive the art of illumination, properly so called; not the art of miniature-painting in books, or on vellum, which has ridiculously been confused with it; but of making *writing*, simple writing, beautiful to the eye, by investing it with the great chord of perfect colour, blue, purple, scarlet, white, and gold, and in that chord of colour, permitting the continual play of the fancy of the writer in every species of grotesque imagination, carefully excluding shadow; the distinctive difference between illumination and painting proper, being, that illumination admits no shadows, but only gradations of pure colour.

Ruskin is insistent that illumination is non-pictorial and non-visual in its structural mode. Visual or pictorial space as such is restricted to the qualities of continuity, uniformity, and connectiveness. These pictorial qualities are rare both in the ancient and medieval worlds. What is characteristic of the ancient and medieval world is *formal* rather than pictorial space, and formal space is iconic and abrupt. It was this discovery of disparity between pictorial and formal space that made possible Robertson's *Preface to Chaucer*.

The later nineteenth century had become disenchanted with pictorial space and the Pre-Raphaelites strove to recapture iconic and formal qualities in art. Much understanding of this entire matter is also to be found in Eric Havelock's *Preface to Plato* which is a study of the detribalisation of the Greeks as they moved out of the auditory spaces and postures of the poetic establishment into the Euclidean continuum of the Platonic ideas.

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The Art of Memory by Frances Yates can now be placed among these memorable studies that have recaptured major dimensions of Western culture long masked by post-Renaissance habits of perception. Among the numerous matters related to the art of memory which Dr. Yates simply by-passes, if only because of their obviousness, is the tradition of the arts of meditation. *The Poetry of Meditation* by Louis L. Martz (1954) might be introduced as an appendix to *The Art of Memory*. Any sample from Martz can illustrate how similar were the methods of meditation and of memory (one need only think of the Stations of the Cross, or the Decades of the Rosary in the same connection, not to mention the liturgical year). In introducing the religious exercises of St. Ignatius, Martz observes:

> ... But the first prelude is the famous "composition of place, seeing the spot"—a practice of enormous importance for religious poetry. For here, says St. Ignatius, "in contemplation or meditation on visible matters, such as the contemplation of Christ our Lord, Who is visible, the composition will be to see with the eyes of the imagination the corporeal place where the thing I wish to contemplate is found." And this, as his followers make clear, is to be done with elaborate, exact detail. We must see, says the English Jesuit Gibbons, "the places where the things we meditate on were wrought, by imagining our selves to be really present at those places; which we must endeavour to represent so lively, as though we saw them indeed, with our corporall eyes; which to perform well, it will help us much to behould before-hande some Image wherein that mistery is well represented, and to have read or heard what good Authors write of those places, and to have noted well the distance from one place to another, the height of the hills, and the situation of the townes and villages. ..."

The "composition of place" is only one of the indications that the arts of memory and of meditation moved from the iconic to the pictorial modes in the 16th and 17th centuries along with the other arts:

> It is clear from the various practices mentioned by these writers that there were three different ways of performing this imaginary "composition." The first is to imagine oneself present in the very spot where the events occurred: "to see the arrangements in the holy sepulchre, and the place or house of our Lady, beholding all the parts of it in particular, and likewise her chamber and oratory." The second is to imagine the events as occurring before your eyes "in the very same place where thou art. ..."

The frequently used term for an actor in the 16th century was "rhetorician." Since the rendering of prepared speeches was the only function of these performers it is not surprising that "places" of memory were built not only into their speeches but into the space in which they performed. This is the theme of Dr. Yates' fifteenth chapter, "The Theatre Memory System of Robert Fludd":

> We have always found that the Hermetic or occult philosopher is likely to be interested in the art of memory, and Fludd is no exception to this rule. Coming as he does so very late in the Renaissance, at a time when the Renaissance philosophies are about to give way before the rising movements of the seventeenth century, Fludd erects what is probably the last great monument of Renaissance memory. And, like its first great monument, Fludd's memory system takes a theatre as its architectural form. Camillo's Theatre opened our series of Renaissance memory systems; Fludd's Theatre will close it.

Fludd affords the communication between the private memory system and the public theatre viewed as an image of the world. Dr. Yates had observed this relationship in her earlier volume (1964) *Giordano Bruno and the Hermetic Tradition*:

> This classical art, usually regarded as purely mnemotechnical, had a long history in the Middle Ages and was recommended by Albertus Magnus and Thomas Aquinas. In the Renaissance, it became fashionable among Neoplatonists and Hermetists. It was now understood as a method of printing basic or archetypal images on the memory, with the cosmic order itself as the "place" system, a kind of inner way of knowing the universe. The principle is already apparent in the passage in Ficino's *De vita coelitus comparanda* in which he describes how the planetary images or colours, memorised as painted on the vaulted ceiling, organised for the man who had so memorised them, all the individual phenomena which he perceived on coming out of his house. The Hermetic experience of reflecting the universe in the mind is, I believe, at the root of Renaissance magic memory, in which the classical mnemonic with places and images is now understood, or applied, as a method of achieving this experience by imprinting archetypal, or magically activated, images on the memory. By using magical or talismanic images as memory-images, the Magus hoped to acquire universal knowledge, and also powers, obtaining through the magical organisation of the imagination a magically powerful personality, tuned in, as it were, to the powers of the cosmos.

It is in this relation between the art of memory and Hermetic philosophy that Dr. Yates suggests a new connection between Fludd's memory system and the structure of Shakespeare's Globe Theatre. Dr. Yates' meditations on this theme lead her to conclude that Fludd's Theatre Memory System "contains, as a secret hidden within it, factual information about the Globe Theatre."

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After such an erudite trip through the inner world of private memory systems, it might seem possible to bring Stonehenge within the orbit of the memory theatres. Has not the 20th century seen the rise of the most Hermetic of all memory theatres in the form of the Advertising industry with its exotic "places" and its *imagines agentes* on which sense and fancy are lavished by the corporate hand? The range of postures and interests in advertising is almost coextensive with the human unconscious. The unconscious, the greatest of all possible memory theatres, goes outside into the external environment by means of electric technology.

Of Butches and Femmes

The Microcosm. By MAUREEN DUFFY. Hutchinson, 30*s*.

THE BLURB (a masterpiece of reticence) says that the main characters in Maureen Duffy's latest novel are all women. An English *Group*? No; a grand tour of lesbianism, and we guarantee to get you back in time for the telly. Perversion without pain, titillation without tears? That would be unfair; but the fact remains that a lot of people will read the book to get the low-down on femmes, butches, drag, bisexuals, etc., and one could have an amusing game (well, fairly amusing) setting selected passages and inviting people to guess the sex of the speaker. There's no doubt that Miss Duffy is what's called a "natural" writer but she *is* rather a cluttered-up one, and tends to use too many words to describe too few things, like the fashionable essayists of modern leisure-journalism. Her work is a bit tarred with the Eng. Lit. brush, too, with references to Orwell, Coleridge, Emily Brontë, Graves, Blake. And in an earlier novel, *The Single Eye*,[1] the Irish hero who is "placed" as a sub-intellectual photographer, not only talks familiarly about Eliot ("the Rev. himself must be seventy-odd now") but also Cowley: the former we may allow him to have read, as he carefully explains he did, in the sixth form, but the latter? And even Paddy, the back-street heroine and narrator of Miss Duffy's first (and in many ways most original) book[2] lectures us *en passant* about Shaw's "sharp half-truths" so that one feels the intrusion of an irrelevantly literary sensibility. But despite a certain over-insistence, Miss Duffy does convey the feeling, the texture, of being alive in our time. Just as through Fannon she made us feel what it was like to be a photographer, so, through Matt in *The Microcosm*, she makes us feel what it's like to work at a filling-station; even if Matt's sexual ambivalence ("I thought you was a bloke at first") belongs less to anything which the art of fiction can still create than to the real-life world of girl-boys or the *demi-monde* of last year's advertisements with their equivocal boy-girl holding out the petrol filler-nozzle at the reader, half-gun, half-penis. And there is a brilliant passage near the end of *The Microcosm* describing the act of filling up a car in sexual terms which may be compared to an even better passage in *The Single Eye* describing the act of developing photographs also through sexual imagery.

Apart from briefing us on the difference between sex as physiology and sex as inclination, *The Microcosm* is a good piece of documentary —the main strength of the novel since the 'thirties first threw over poetic fantasy and the "unreal city" of Eliot and Huxley became, in Orwell, more real than the London of any guide-book. The lordly tradition of "Live? our servants can do that for us" which governed the eccentricities of Mrs. Viveash ended with the depression. Then we all had to abandon the rarified luxuries of abstraction or fantasy and roll up our sleeves and do our own living. Orwell may not have been a great *novelist* in the old mandarin sense but he was a magnificent documentary realist, a superb journalist, a copywriter of genius. We don't care much about the relationships between Gordon and Rosemary or Gordon and Ravelston in *Keep the Aspidistra Flying*, but we are totally involved in what it feels like to have a lousy job, filthy digs, and so on; we feel Orwell got it right, even to the subordination of "art" to advertising; life is not thoughts and ideas but food, drink, sex, tobacco, trips to the country, or the absence of these.

The focus has shifted slightly since the thirties, though we are still in the post-Orwell era. The money's about again, but it still won't buy the gracious vicarious living of the twenties: it *will* buy sex, food, drink, trips to the country, etc.: all the things the wretched Gordon tried to "renounce" yet couldn't live without, the "fixes" of modern life. (Compare the trip to the forest in *The Microcosm* with the famous one in *Keep the Aspidistra Flying*.) The affluent era is also the era of do-it-yourself realism. Axel's castle has been finally demolished.

And sex, of course, lies at the heart of do-it-yourself realism:

> Alone in my room, I undid the package, read the instructions, got a hard on and had a run-

[1] Panther, 5s.
[2] *That's How It Was*. Panther, 3s. 6d.

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through of the drill with imaginary dialogue. Then I thought about it carefully. It must be as natural and easy as possible. The top of my sock seemed the best place so I slipped one in there. (*The Microcosm.*)

One can fairly safely say that such a paragraph couldn't predate the 'fifties. The great uninhibiteds of earlier decades would either have made it randily poetic (Miller) or have felt bitter, but not Miss Duffy (or Mr. Donleavy and others). What we are now offered is a routine, and I use the word in its show-business sense. The "routine" of an act is a sequence of happenings which seem spontaneous but are in fact worked out mechanically. (Look at the key-words in that quotation: drill, run-through, natural, easy). Routine involves both indulging a talent or a predilection and also adjusting to circumstances (as an act will adjust to the demands of audiences or impresario), playing it along. This doesn't have to imply "joylessness": even the hero of Camus' *Etranger*, grandfather of philosophic existentialists, enjoyed swimming and sunbathing and to say of anyone "he does it for kicks" isn't a condemnation; it's when the pleasure-principle drops out that we have to start worrying. Or rather, stop worrying; when Mike Fannon in *The Single Eye* leaves his wife Toni it's because she can't or won't sustain the routine; the act is in jeopardy.

The characters in *The Microcosm* are not joyless, nor apologetic, nor on the defensive; by isolating their world Miss Duffy sets them free from the splendours and miseries of romanticism; it's possibly because of this that they tend to over-expatiate. We get too much "coverage" and too little conflict. The highly readable style carries us along and there's nothing to halt us between the first page and the last; no grit in the oil. Perhaps propaganda has taken the place of conflict; the queer's relief at discovering that it is possible to "belong" is vividly conveyed and the reader is happy to share it, but surely propaganda ought to shock *somebody*. Some change of attitude, some adjustment of response, ought to be required. There was recently a long article on insanity in a colour supplement. The only thing about it that horrified me was a realisation that I had been reading it exactly as if it were the cookery page.

Miss Duffy's interest in the theme of lesbianism begins at the end of her first novel where the heroine Paddy falls in love with the schoolteacher Miss Tyson: compare Miss Stevens in *The Microcosm*, but the earlier relationship seems intrusive in a novel whose strength lies wholly elsewhere; "the fever that raged in my blood" recalls those old "crushes" familiar

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from so many "sensitive" feminine novels; and one feels that Miss Duffy was right to shed this sentimentality in *The Microcosm* where the schoolgirls are seen as subscribing to an altogether simpler moral code: "no feelings of guilt or self-torment."

Our age (no doubt in reaction against the 'forties) isn't interested in suffering, and with our age Miss Duffy is unerringly in tune. I enjoyed *The Microcosm* but I don't think I shall remember it. It will join the take-it-or-leave-it world which gave it birth. Its author has not the authority (and probably would not seek it) to change routine into order, to shape, to force us to reconsider. Her medium—cool, swinging prose—is, indeed, her message. What a lot, one feels, is going on, and just the way she tells us it is: eggs and chips, garage attendants, the Marble Arch, we're all in it, one great big cosy family. In the immortal words of Fritz in Christopher Isherwood's *Goodbye to Berlin,* "Eventually we're all queer."

K. W. Gransden

Symbol-Shy

Poems 1950–1965. By Robert Creeley. *Calder & Boyars,* 35s.

A Range of Poems. By Gary Snyder. *Fulcrum Press,* 35s.

In Retreat. By Philip Hobsbaum. *Macmillan,* 18s.

Poems New and Selected. By Jon Silkin. *Chatto & Windus,* 16s.

Shadow Land. By Johannes Bobrowski. Translated by Ruth and Matthew Mead. *Rapp & Carroll,* 21s.

English followers of American poetry who have been wondering whether to learn up about Black Mountain poetry and projective verse (actually they are more or less the same thing) could probably afford not to bother. Most of the movement's practitioners have said that they wish to be judged as individual poets, and the untutored reader can hardly do better than to take them at their word and decide for himself whether some few lines of individual poetry have managed to worm their way through the general barrage of inanities about the heart, the syllable, the peculiarities of the American breath, etc., etc., which has been aimed at him by the movement's theoreticians.

Near the beginning of Robert Creeley's *Poems 1950–1965* there is a short poem called "The End":

> *When I know what people think of me*
> *I am plunged into my loneliness. The grey*
> *hat bought earlier sickens.*
> *I have no purpose no longer distinguishable.*
> *A feeling like being choked*
> *enters my throat.*

Anyone who finds the last half of this poem disappointing can be fairly sure of being disappointed by the rest of the book. Creeley's way of extinguishing the insight of his first three lines in the banality of his last three has—like all his poetry—an air of innocence about it, but it becomes clear as one reads on that there are very few other insights in store for us and that the innocence is really nothing more profound than the kind of carefully cultivated naïveté of tone which the Black Mountain poets took over from William Carlos Williams. In Williams' own poetry the style was an expression of something —at its best, perhaps, of how the simplicities of childhood could continue to work away beneath the wisdom of age. But with his younger and drearier disciples it seems more like a deliberate effort to blur the distinction between imagination and everything else and to lull the reader into forgetting that there is such a thing as poetic talent.

Creeley's own special qualities are an exceptional degree of cuteness ("How much I should like to please!", he says in his introduction. "It is a constant concern") and an unrelenting preoccupation with love. Both are conveyed in abstract, soliloquising verses which get along without the benefit either of images or of any precise expression of feeling. Thin monologues straggle down the page, pointlessly chopped into 3- or 4-line stanzas and rarely containing anything more definite than a damp and malformed little aphorism.

> *To be in love is like going out-*
> *side to see what kind of day*
> *it is*

is one such. There are signs occasionally that something more worthwhile may be coming into focus—"The Gift" is a poem where this happens —but they are never more than signs. The poetic energy is always drained from the imaginative impulse itself into some arch manipulation of the verbal surface, and it seems to be almost the essence of Creeley's later style that he should be unable to salvage anything but trivialities from the more important areas of human experience. He reads like a middle-aged *enfant plein d'illusions*: pleasant, a little puzzled, immersed in the small curiosities of his private life and drifting towards death without ever quite know-

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ing what is happening to him. (For all the chat about love, death gets no mention in over 200 pages.) Creeley reminds one at times of E. E. Cummings, only without the line in social satire which was second string to Cummings' simplistic lyricism: there are the same fairy-tale relationships with no proper clues to what makes them happen, there is a good deal of the same syntactical preciousness, and there is the same absence of any real controlling intelligence.

> *I wanted so ably*
> *to reassure you, I wanted*
> *the man you took to be me....*

one poem begins, but the honesty remains vacuous because the poet keeps his own character completely in reserve (and gives the impression of not knowing much about it anyway). One gets sick of the generalised "you" and "I" who maunder through these pages and of the idea-words like "love" and "hate" which are always on hand to blot up any trace of interest in how the world actually works. Beneath the artful surface of these poems one can never sense even an effort to achieve the concentration and clarity of art.

Gary Snyder is at any rate a different sort of mountaineer, and the public relations in his case have been more than taken care of by the Fulcrum Press: the dust-jacket to *A Range of Poems* tells us that we now have an opportunity to judge "the maturity of this great poet." On the evidence of the book itself, though, Snyder is yet another talked-about American poet who is only very intermittently a poet at all. Most of *A Range of Poems* reads like a kind of versified nature diary, with interminable jottings about bears and snow and logging camps and fire-watching and a few beat-style memories of whoring and exploring thrown in. There are moments now and again when simple earnestness begins to turn into something more like a reverence for the sheer size of American nature:

> *Hill beyond hill, folded and twisted*
> *Tough trees crammed*
> *In thin stone fractures*
> *A huge moon on it all, is too much.*
> *The mind wanders. A million*
> *Summers, night air still and the rocks*
> *Warm. Sky over endless mountains.*
> *All the junk that goes with being human*
> *Drops away, hard rock wavers*
> *Even the heavy present seems to fail*
> *This bubble of a heart.*

Mostly, though, the language is flat and prosaic and devoid of any symbolic resonance and the things described remain mere things. Nor does the junk that goes with being human get much of a look in. If Snyder belongs to a group it is to the original Beats (though he has his points of contact with Creeley *et al.* too), but he has studied Zen in Japan as well as in San Francisco —his book includes versions from the Japanese— and his withdrawal from the important conflicts of human life seems to be correspondingly more thorough. One gets the impression at times that his commerce with the civilised world is austerely limited to thumbing lifts from it and getting it to publish his poems. This kind of rejection of modern society can have its uplifting side (there is certainly something Nietzschean about Snyder's taste for desert landscapes), but it can very easily become tiresome and sometimes worse than that:

> *Somewhere of course there are people*
> *collecting and junking, gibbering all day*

can begin to look like a more considered judgment on civilisation than it was probably meant to be.

One of the most enervating qualities in Snyder's poetry is the lack of any sense of history: he seems to have the illusion that there exists some timeless order of things which can be apprehended without any involvement in the transient affairs of social life; this in turn breeds the more noxious illusion that the poet has no obligation to shape his experience in any way and needs but to catalogue it for the mysterious radiance to shine through. Many of Snyder's poems are little more than lists, and few but the most desk-bound of urban casualties could get much satisfaction out of contemplating them. Snyder pontificates somewhere about

> *...the ancient meaningless*
> *Abstractions of the educated mind*

but after a surfeit of Whitmania one begins to long for one or two. At their best, these poems have a kind of outdoor freshness which can point the way towards something like religious experience: the Zen masters should be well pleased. But their solitariness and lack of any emotions involving other people—in particular, of any very developed sexual emotions involving other people—soon becomes irritating. One does not really expect Americans to be masters of the erotic, but one is surely entitled in that case to resent this poetry's tough air of taking in all the important things of life. Near the end of the book there is what may be a clue to it all: four poems about an early love affair which in their overall context are very moving and which make the rest of Snyder's writing look like some kind of penance—

> *We had what the others*
> *All crave and seek for;*
> *We left it behind at nineteen.*

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I feel ancient, as though I had
Lived many lives.

And may never now know
If I am a fool
Or have done what my
karma demands.

To pass on from the Americans to British Philip Hobsbaum is to exchange the indirect approach towards nothing in particular for the more reliable virtues of making sense and having a point. The trouble with Hobsbaum's poetry is not that he relies on the abstractions of the educated mind but that he exercises them always on the same dismal subject-matter—himself and the latest signs of his decrepitude (he was virtual founder of the what-I-think-about-my-new-false-teeth school which enjoyed a small vogue in this country until recently)—and that he presumptuously takes our interest in that subject-matter for granted. If Creeley and Snyder seem to be turning their backs on us and staring out of the window, Hobsbaum often seems to be simply standing there and exposing himself: one's natural reaction after the first self-reassuring glance is to say so what. But if one can put up with a cycle of short poems about bad eyesight and some covertly egomaniac long ones about (or so the blurb tells us) "the wastage of effort in the lives of great men," his latest book *In Retreat* has some satisfyingly angry moments. The best are his satirisings of academia, basically in the Larkin-Snodgrass manner but sometimes focusing on that institution's contempt for human spontaneity and on the warped energy which can spring from it with a kind of Lawrentian hatred:

The dwarf in the chair enjoys the sound of his voice
Slowly, clearly, detailing what we don't know
And never need to. We are hunched and slumped,
Hands pushing spectacles up, one face a yawn,
Cross, disaffected. Only a lecturer
Who'd like to be Dean pushes the subject on,
Lean, eager....

There is courage in this, but one cannot imagine Lawrence going on to spend much time *"sitting/ As I have done, eating fag after fag after fag/ Blindly watching the wall."* Hobsbaum's worst fault, apart from his obviousness ("Annotate the rose, not see it blow," etc.), is a self-indulgent need to remind us that his own sensitivity really puts him beyond all this spiritual squalor when that is precisely what it doesn't seem to have done. He writes like a man who knows he has lost, but after so much concentrated self-pity the

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reader is unlikely to believe that he ever tried very hard in the first place.

WITH TODAY'S American poets so symbol-shy and the British scene still haunted by the modesty and reasonableness of the 1950s there are times when one could almost stomach a bit of full-blooded allegory. Jon Silkin's flower poems, which occupy an important place in his *Poems New and Selected*, are not demonic in any sense of the word, but they are at least a welcome reminder that the language of poetry can actually move on more than one level of meaning at the same time. It ought to be said, though, that these poems themselves are almost entirely unsuccessful either as straightforward descriptions of flowers or as intelligent symbolisings of human behaviour. Nor is it easy to see how they could have succeeded in doing both these things to any worthwhile purpose: analogues must exist between flowers and human behaviour and it may be a pleasant fancy to play with them, but they are unlikely ever to tell us anything about human nature that we haven't already gleaned from elsewhere. Even animal poems can be unrewarding enough. To talk of "the curt stigma" with any kind of moral overtone is pure anthropomorphism, and to make a flower of any sort into an allegory of a concentration camp is pure trickery. The worst that can be said about nature (I forget who said it) is that it is out to get us in the end, and it is only when he limits himself to this kind of perception of it that Silkin really comes across: some of these poems convey a nice sense of alien processes going on, which is surely the main thing that one actually gets when one looks into a flower. Silkin's other poetry is puzzling: his early "Death of a Son" stands out as the most impressive thing in this book, but it is much harder to say what is really the matter with his new and later poems. They have a detached, *nouveau roman* quality about them which seems almost designed to deny whatever human meaning there may be in the world (the flower poems fit in perfectly with this), and one wonders how far this need to repudiate human feeling is the result of having failed to make sense of it. Much of Silkin's work now recalls the incorporeal poetic world of Charles Tomlinson, although the emotions which he seems to be evading are sometimes a little tougher:

> *I walked from the town in*
> *Mid-morning, by path that*
> *Pierced the exhaustion of wheat.*
> *Stone and glass lowered beneath*
> *What I climbed. Its blue haze*
> *Gave out, and the path sharply*
> *Cut into blackish earth. . . .*

If he could find his way back there, it seems to me that Silkin might do well even now to take another look at the straightforward sentiment of "Death of a Son" or even at the near-sentimentality of his closely related poem about a dog, "A Space in the Air": I cannot see what he would have to lose.

A WORD, FINALLY, about *Shadow Land*, a book of delicate translations (by Ruth and Matthew Mead) from the East German poet Johannes Bobrowski. The German text is not given, but Bobrowski's northern sensibility comes over well in these versions: his content is sometimes very primitive, and he responds powerfully to landscape, folklore, and the elements—if he deals with Russia it is with Novgorod or the source of the Volga and not with Moscow. But in their concreteness and intensity of atmosphere (the worst Bobrowski does is to lean a little too much on words like "wolves," "dark," or "mist") these poems are genuinely modern. It seems likely—he died last year—that he was one of the best post-war poets to have appeared so far in Eastern Europe.

Colin Falck

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Questions & Answers

Conversations With. By HENRY BRANDON. *André Deutsch*, 30s.

SINCE 1956 a heavily technologised and apparently mildly terrifying figure has been haunting American cultural and political life, cornering leading persons in politics and the arts and tape-recording conversations with them for purposes of newspaper reprinting. He descended on Edmund Wilson at Talcottville; Wilson was at first deterred by the electronics but finally grew so excited that he rang round the local stores to gather more tapes. He visited Marilyn Monroe and Arthur Miller in their bungalow at the Beverly Hills Hotel, causing Miss Monroe to eye the machinery uneasily until Miller patted her hand "and she quickly grew calm." He talked to Margaret Mead, who was "a little put off," and to James Thurber, who talked easily but later sent a three-page letter "polishing some of the things I told you," a letter he later rescinded when friends preferred the tape ("Being a good sport and trusting his friends he agreed"). Others took the McLuhanite portent (a "pilot project") more in their stride; Arthur Schlesinger, Jr., "never showed even a trace of interviewee's nervousness," and John F. Kennedy, then still Senator, faced the ordeal at breakfast and spoke so fluently that "while I had gobbled up everything on my breakfast tray, he had hardly touched the eggs or the bacon or the coffee...."

There is something faintly surprising about the disorder into which this enterprise threw its victims; America is a society dominated by technology, and indeed has its consciousness substantially transformed by it; and one is tempted to attribute it to nervousness of another kind. The visitor was Henry Brandon, the excellent Washington correspondent of the London *Sunday Times*, and the result was some substantial monuments of Anglo-American reporting, portraits through conversation of some of the ideas alive among America's intellectual and political establishment; they are here collected as a book. One can only surmise that the interviewees found their English audience slightly disconcerting; or, perhaps, they were simply afraid that an Englishman would blow up the tape-recorder. Whatever the reason, the book, good as it is, is touched with that slight air of dislocation that seems recurrent in transatlantic cultural relations. Perhaps the best revelation of this comes in a tiny vignette; Marilyn Monroe took Brandon on to a Hollywood sound stage.

> In a mood of coltish playfulness and sparkling delight she made the cameraman take pictures of us. And before I could protest she began to parody the opening of a love scene. The lids over her big grey eyes became heavy and looked their

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most seductive. Her body came heaving forward and her mouth beckoned challengingly. In my surprise and embarrassment I fluffed the scene.

The little transatlantic parable echoes through history, from Dickens, Arnold, and Mrs. Trollope to recent transatlantic novels. The connection is not quite caught, the role not quite played; the Englishman retires into comic bumbledom, and the American holds on to his secret, the secret of being a few steps forward into the future.

At the level of general thinking, the transatlantic connection works, swimmingly. Brandon knows American life, particularly its operative politics, and he has a sense of history sharper than have most journalists. His questions are apt, the issues explored potentially vivid, the interviewees are articulate, and the interviews run to good length. And where it is a matter of exploring and reporting ideas, interpretations, the result is usually resoundingly successful—notably in the case of the interview with Kennedy in June 1960, when Kennedy was on the verge of the presidency and is here shown as a man with the whole range of world problems under his intelligent surveillance; a deeply heartening interview. Working in a slightly different way, the "conversation" with Richard Neustadt—who discusses the institutional character of the secretariats of the British Prime Minister's and the Cabinet's office, and the consequences of their organisation for our political life—shows interviewer and subject at their easiest and best. Schlesinger talks well, and to an equal, about the problems of writing contemporary intellectual history, especially when one is participant as well as observer, and Walter Reuther explores excellently the pragmatic (non-ideological) techniques of American labour bargaining—notably exploring the way in which labour can exploit the gap between private industry and government labour legislation by lobbying both parties to its advantage.

THE PROBLEM COMES IN when Brandon, as part of his purpose, seeks from his interviewees a sense of the important configurations of American culture. He strikes this note with the anthropologists, artists, and critics he talks to, rather than with the explicitly political figures. The signal of the difficulty perhaps comes most clearly in the interview with Edmund Wilson. Brandon discerns, quite rightly, in Wilson's writings a vacillating but crucial vein of disillusionment with Europe. In response Wilson says:

> One thing that is important is that the English Revolution did not occur in the 17th century; it occurred over here, in the 18th century. So you have the peculiar situation of a national revolution occurring geographically in another part of the world.

The point of this way of saying it is, I take it, that there is a continuous burden upon America to know what the revolution is and to answer to it. One might say that this is a special level of experience which Americans have and Europeans often do not; this is the "American joke" that Henry James spoke of when, after complaining that there was in America an absence of forms and manners and the things that made life interesting, he then observed that Americans possessed the wry knowledge that there were other things that mattered. Not to catch at why they mattered, and what they are, is to fluff the scene; and as British innocents we continue to fluff it. The American fascination with intellectual history, or the interaction between mind and structure, as Schlesinger puts it; the status of Marx and Freud as modern thinkers in America ("I think [Freud is] a great help to society," says Marilyn Monroe); the American way of substituting anthropology for history, or, as Margaret Mead puts it, "the comparison of contemporary peoples" for "the time depth that Europeans rely on"; the grasping in art and experience toward Norman Brown's polymorphous perverse; all are part of a unity that Brandon seems to see and stab at but cannot persistingly bring out. They are part of a situation that is known, by most of the American speakers, to be self-sustainingly revolutionary, and that is all too readily distanced by the British eye. It is not only Brandon who falls back on the old half-intimations—America as a conformist, materialist, security-seeking, over-psycho-analysed nation; those repeated clichés of the British view of the States. He interviews here a number of Englishmen of semi-expatriate bent, including Jonathan Miller and Peter Ustinov, and the same note comes up there. Ustinov catches at the American pursuit of "culture" (and certainly in his hands it is a profitably comic oddity), and Jonathan Miller at the fossilised elements of an older, Beacon Hill-type American life (again for his purposes a useful social quirk); but it is only Sir Isaiah Berlin who, in a brilliant and very recent interview, puts the real point—that only knowledge can control environment and the forces of operative environment are constantly increasing, both because of the extensions of scale in society and because of the specialisation of skills that are needed for dealing with that scale. Yet even here, too, the note of British empirical humanism sounds, with its special kind of optimism:

> I should like to have evidence to the effect that human beings are in some way caught in some inevitable grip of a force which they themselves have released, but which they themselves have neither the intellect nor the will power to control.

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Of course the real significance of this note of disjunction, of the fluffed scene, is not that it is apt to turn the Englishman in America into the hero of a comic novel, but that it can create something like a mood of international irascibility, or at least an accusation of cultural reversal; it is the Englishman who is the travelling innocent, the American the man with the burden of real experience. It is not just that Brandon does not put up for Marilyn Monroe; nor, of course, is it that his questions don't probe—the book is full of real as well as unreal confrontations. But the note of unreality comes often enough to be striking. Is, Brandon asks Margaret Mead, conformity an outstanding feature of American life? "I think it's an outstanding characteristic of American life as looked at by Europeans," answers Miss Mead. To Frank Lloyd Wright, he observes (and it is hard not to agree) that he prefers the façades of the buildings on Park or Fifth Avenue to the new glass and steel buildings. Wright answers:

> This is a matter of taste, and taste is always a matter of ignorance. You taste because you don't know. And if you like the taste of the old, you like the old. If you like the taste of the new, you like the new. But none of it is really architecture.

He raises with Arthur Miller the question of American anti-intellectualism, and Miller replies:

> ...we are not so much persecuted as ignored. But everybody else is ignored too. I doubt there is a single professional class in this country which feels it gets due public thanks or recognition. This even includes businessmen....

To possess modern history and to possess a sense of responsibility about that history is something strong in the American mind; Brandon takes this as the problem but never quite brings it to shape in his questions. Arthur Miller, who gives a superb interview, puts the point: "We believe in necessity here; we're loyal slaves of it. The necessary, here, is mistaken for the right. But sometimes men must interfere with the inevitable." The double burden—of knowing necessity or unconditioned movement, and trying to find when and where to condition it—seems to me an essential American recognition, and what Miller says about Chekhov is the best concentration of the problem, which is one common both to American cultural and political life:

> The plays are great, for one thing, not because they do not give answers but because they strive so mightily to discover them, and in the process draw into view a world that is historical.

And one of the proper things to say about this book is that, despite the fluffed scenes, it brings to notice a world in which there are men interested in doing that.

Malcolm Bradbury

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The Well-Dressed Theologian

The New Theologian. By VED MEHTA. *Weidenfeld and Nicolson*, 36s.

MR. VED MEHTA is a phenomenon, a sieve through which ideas are passed so that anything tough, not instantly digestible or requiring serious intellectual application is removed. What is left is a brightly coloured pap with which readers of the *New Yorker* may toy in the intervals between looking at the advertisements and reading Mr. Dwight Macdonald's sermons. Now Mr. Mehta has once more packaged a set of his articles between hard covers and if you want to know the colour of Karl Barth's stair carpet or which theologian wears a very wide grey tie, then this is the book for you. Provided, that is, that you can be satisfied on the subject of Barth's theology by learning that one of his works is "radical" and another "conservative" with a twenty-four line quotation from ENCOUNTER to give good measure. Mr. Mehta's method is to begin from newspaper controversies; in an earlier book he approached British philosophy in this way and now his point of departure is the response to the Bishop of Woolwich's notorious *Observer* article and to the publication of *Honest to God*. There is therefore some danger that Mr. Mehta's boringly superficial book will be dismissed for the wrong reasons, that it will be written off as journalism by those who despise journalism. But Mr. Mehta's faults are those not of journalism, but of bad journalism. No good journalist could ever afford the large contempt for his audience which informs Mr. Mehta's assumption that they would rather know about the sherry he drank with a theologian than about that theologian's ideas.

Yet it would be a mistake to underestimate the importance of some of the questions raised, perhaps unintentionally, by Mr. Mehta's book. What is unintelligible and what is distorted and what is simply omitted from his book all invite attention. We might first look at the proportions of Mr. Mehta's design: Karl Barth, a difficult and massive author, is dealt with in just over three pages; Dietrich Bonhoeffer, a much easier writer, in sixty-three. But Bonhoeffer's important and original *Sanctorum Communio* receives nine lines, while the easily accessible and intelligible letters from prison are given over ten pages, mostly of direct quotation. (Mr. Mehta is a genuine cultural innovator in one respect. The popularisation of the difficult is a well-established genre, but no one before Mr. Mehta has devoted himself to popularising what was already popular in form and content.) It is therefore scarcely surprising if on Mr. Mehta's theological map the contours of foothills are charted with great care, while the major mountain ranges are indicated by a few vague squiggles. To take the most obvious question that would be raised by the least well-informed reader: why does Karl Barth occupy any place in Mr. Mehta's narrative at all? He is not on any criterion one of the new theologians and the references to Barth by other theologians whom Mr. Mehta quotes leave the nature of his importance obscure. What, then, has Barth's role been?

FEUERBACH LONG AGO argued that Protestantism was a half-way house between Catholic theism and atheism. The Catholic may believe that the most urgent and redemptive truths about the divine nature are to be learnt only from that revelation in which Christ's words, actions, death, and resurrection are central; but he also believes that we do have some knowledge of God's existence and nature independent of any revelation. (This was finally affirmed once and for all by Vatican I.) From this two consequences follow. The first is that our knowledge of the divine is, on the Catholic view, not wholly dependent upon our knowledge of whether certain historical episodes did or did not occur. The second is that since our assessment of the historical evidence will not necessarily be the same if we have independent grounds for belief in the divine as it will be if we have no such independent grounds, the natural knowledge of God is able to play a key role in disposing us to accept a revelation. When the prophets and Christ speak of God we know what reference is intended. So runs the Catholic doctrine.

By contrast the Protestant reformers made the revelation contained in the Bible the sole source for any genuine knowledge of God. Men possess a nature so corrupted by the Fall that man's natural reason is bound to err where God is concerned. This denial of the possibility of any natural knowledge of God, resting as it does on so low an estimate of the possibilities of human nature, must seem at first sight far further removed from the atheistic humanism of a Feuerbach than is Catholic theology. How then could Feuerbach see Protestantism as a half-way house to atheism?

The answer is that Catholicism is still concerned with a knowledge of God as he is in himself; Protestantism believes that our only knowledge of God is of God as he has disclosed himself within history and within experience. Thus it turns out that theistic language is provided with no reference beyond human experience and beyond history. Many Protestant

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theologians who have understood the consequences of this have retreated in the direction of a revival of a Catholic natural theology. By doing so they too have testified that the unchecked tendency of orthodox Protestantism is in the direction of detaching theistic language from any transcendent reference. This is what Feuerbach saw in Protestantism and this is why he saw it as a precursor of his own doctrine that Christian belief presents in a misleadingly theological guise truths about human experience and the human condition.

As classical Protestantism stood to Feuerbach, so perhaps—to some extent at least—Barth stands to the new theologians. For Barth's Christocentrism is even more radical than that of the 16th-century reformers and even more pregnant with atheism. The Reformers saw the Bible as the locus of revelation and their successors, the Protestant Schoolmen, made the actual text of scripture what was inspired. For Barth however the Bible is important as a record of historical events which constituted God's intervention in history; and we know of God only because of those revelatory events. At the same time the Christian claims can be accepted only by faith. Thus Barth's positions entail a curious conjunction: he is committed to holding that belief in the occurrence of certain historical events is not only a necessary part of Christian belief (Christians who do not believe this are only Christians in a Pickwickian sense), but is indeed the basis for the rest of Christian belief, and that yet our belief in these events is to be founded not upon the ordinary canons of historical evidence but upon faith. This position is inherently unstable, and one way of viewing the new theologians is to see them as attempting in a non-metaphysical age to rescue the life of faith from any dependence upon the contingencies of secular historical enquiry. The question that their attempts pose however is that of whether it is possible on the terms available to them to substitute a less unstable position.

I SPEAK OF THE TERMS available to them because it is important to be clear that the situation of the new theologians is radically different from that of those theologians who faced the crisis of unbelief in the last century. Two major differences stand out.

In the last century theologians confronted a secular world-view, or rather a family of secular world-views, elaborated on a scale comparable to that of Christian doctrine. Indeed whether such world-views were Hegelian or Utilitarian in inspiration, the Christian inheritance which formed them made the possibility of conversation between the theologian and his adversary relatively easy. But it is not now clear who or

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what the theologian's adversary is, for the alternative to Christianity now is not some other framework of beliefs, but a large absence of belief in the traditional sense. Hence the pathos of so-called "humanism," a doctrine as alien to the passive unbelievers of today as Christianity is. The writings of the new theologians are full of references to and would-be portraits of modern secular man. According to Bonhoeffer and those influenced by him, modern secular man is a somewhat Promethean figure. But the heroic scale of this construction does not hide the fact that it is a straw Prometheus who has had to be put in place of the real half-secularised, none too certain men who inhabit the actual world.

Moreover the Christianity which the new theologians seek to purge and demythologise is a Christianity which has already undergone this process several times before. The liberals of the last century were in a much more favourable position in trying to separate wheat from chaff, kernel from husk, or treasure from earthen vessels, if only because they were at the task earlier. But their wheat turns out too often to be our chaff. Discovering the essence of Christianity has become more like peeling an onion than cracking a nut. What is left at the end is a vocabulary deprived of reference and application, a real degeneration of substantive doctrine into ritual formula. So when Mr. Mehta at the end of his book contrasts and compares the new theologians with those of the last century he misses once again the key points.

Nonetheless one valuable question is raised by his book. When not only the *Observer* but also the *New Yorker*, and not only the *New Yorker* but also *Playboy* finds that theology, even theology in so rapid a form as this, is what their readers will be titillated by, this casts an interesting and not wholly expected light on the situation. God may be dead, but he is also and most certainly making the scene.

Alasdair MacIntyre

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PRESS

Trial by Newspaper & Its Cures

"In the Daily Mirror *case in 1949, this newspaper, which has the largest circulation in Great Britain, was fined heavily and the editor was sent to prison for three months.... The newspapers have been more careful ever since, and nobody seems to have been worse off because of this."*

Professor ARTHUR L. GOODHART (1964)

"The press does not simply publish information about trials but guards against the miscarriage of justice by subjecting the police, prosecutors, and judicial processes to extensive public scrutiny and criticism. This Court has, therefore . . . consistently required that the press have a free hand, even though we sometimes deplored its sensationalism."

U.S. SUPREME COURT (1966)

"THANK HEAVEN we don't have trial by newspaper, as you do in America...."

The frequency with which such remarks appear in English discussions (both oral and written) of the press upsets me—not because we don't have a "trial by newspaper" problem in America (we certainly do), but rather because the remark seems to imply that there is a ready and satisfactory solution to the problem (the English solution), and that in failing to seize upon it, we Americans are displaying either total indifference to the plight of the criminal defendant besieged by publicity, or monumental obtuseness. My purpose in this article is to suggest that the problem is in fact *not* capable of easy solution, that the English answer—contempt of court—although it goes a long way towards safeguarding the right to be tried by an impartial jury and may on balance be the best answer to the problem, in fact falls short of its goal of ensuring trials uninfluenced by publicity and, into the bargain, pays dearly by diminishing the contributions the press can make to the efficient and fair administration of justice. I shall consider my efforts successful if I am able to demonstrate that the failure of American law to adopt the English contempt rule results not from lack of concern for the rights of defendants, but rather from a judgment deeply rooted in the American constitutional tradition: that by restricting what can be printed or broadcast about a criminal proceeding, a society loses many of the benefits deriving from a free press—and is, therefore, better advised to enquire whether there aren't alternative means of safeguarding the right to a fair trial.

The English rule against contempt of court holds, fundamentally, that it is unlawful for a newspaper or other medium of communication to publish matter which tends to prejudice the course of justice in any pending litigation. In practice this means that once a man has been charged by the police, or a charge is imminent, papers cannot print matter which might incline a jury towards either convicting or acquitting him. This includes the evidence against him, his prior criminal record, and editorial speculation about his guilt. Whether the report is accurate is irrelevant. These are things papers simply cannot publish. The press must keep this silence until the committal proceeding—the hearing at which magistrates decide whether the prosecution has enough evidence to hold the accused for trial. Such proceedings are ordinarily conducted in public, and the press is free to report whatever transpires there. After the committal hearing, silence is again the order until the trial, which also can be fully reported. Even after a man is convicted, papers are not free to say whatever they like, for the contempt rule also bars the publication of anything which tends to prejudice the fair hearing of the appeal (although the rule is somewhat less stringent at this point than it is before trial). Should a newspaper overstep the line, it is liable to a fine and its editor may also be fined or even sent to prison. Whether a newspaper has committed contempt is decided by a judge sitting without a jury, and there is theoretically no limit to the amount of the fine or the term of imprisonment he can impose.

If we look only at its core effect—keeping from the jury factual data concerning the accused and editorial discussion of his guilt—the contempt rule makes much sense, for the English (and American) trial system is built upon the idea of a jury of twelve men who will make up their own minds, on the basis of the evidence produced before them in court.

THIS *is, again, a study in "transatlantic differences"—with this time an American lawyer taking a look at both the U.S. and the British courts' attempts to deal with the problem of prejudicial publicity.*

John Hart Ely, who was a member of the legal staff of the Warren Commission, a Law Clerk to the Chief Justice of the United States, and now is on the staff of the Federal Public Defender in San Diego, California, spent a year in England getting material for this article.

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However, the rule has a number of side effects which are not so desirable, which should lead us to enquire whether the barn is not being burned to roast the pig.

DECISIONS AS TO WHETHER it is legally safe to print a given item, like other journalistic judgments, must be made in a matter of minutes. And the penalty for a wrong guess is harsh. Thus contempt of court is an area in which particularly clear legal guide-lines are needed. However, the complaint about the law of contempt I heard most often during the year I spent in London talking to journalists and newspaper lawyers is that it is so vague as to be of essentially no assistance in many to-print-or-not-to-print situations. Despite repeated journalistic cries for help, the courts have extended little. Dealing only with the specific factual situations presented by the cases before them, judges have refused to lay down guide-lines for baffled editors and have contented themselves with warnings that crime reporting is a "perilous adventure." It is therefore not surprising that when there is a question as to whether an item can safely be printed, editors are inclined to err on the side of non-publication.[1] The vagueness of the law of contempt thus gives it an "overkill" effect, deterring the publication of much which would not, if it ever came to court, be held to be within the rule's intendment. At first blush, overkill might appear a virtue, for is it not fortunate, one might ask, that the law makes papers steer far clear of prejudicing trials? That it is in fact *un*fortunate should become clear from an examination of the ways in which the vaguenesses of the contempt rule keep newspapers from providing valuable assistance, in the form of positive aid as well as constructive criticism, to the agencies charged with the detection of crime and the administration of justice.

Newspaper Investigation of Crime

THE BRITISH POLICE are justly famous, but they are not omniscient. The crime rate in England, as elsewhere, is rising rapidly, and less than 40% of the crimes committed are solved. Any assistance the press could lend would, I am sure, be welcomed by the police as well as the public. (The possibility that the police will, for one reason or another, decline to take action against certain offenders is also not to be disregarded.) Moreover, stories exposing criminals are the sort that many papers would like to be able to run, because of their obvious potential for increasing circulation. In fact the English press has historically been of real assistance in investigating and uncovering crime.[2]

Such activity is, however, on the decline. There are isolated instances, such as *The People*'s exposés of football bribery and dog doping. But the view taken by most Fleet Street editors today is that the law's restrictions make exposure an activity too precarious to be undertaken. The possibility of a libel suit is the most obvious deterrent. But even if the paper can prove its allegations (proof would constitute a defence to a libel charge), the contempt rule, which does not recognise truth as a defence, can discourage criminal investigation.

In 1956 *The People* printed an article calling for the arrest of one Micallef, who, the paper argued, was engaged in the business of managing prostitutes. In fact, unknown to the paper, Micallef had already been arrested. The Queen's Bench Divisional Court found that the article was likely to prejudice Micallef's trial, held to be immaterial the fact that those responsible for its publication did not know of the arrest, and fined the publisher £1000 and the editor and reporter £500 each. The deterrent impact this ruling could have upon newspaper crime investigation is obvious. In its 1959 Report on Contempt of Court, *Justice* (the British Section of the International Commission of Jurists) sharply criticised this case; and a year later Parliament provided that no person or paper is to be held in contempt if he can show that, having taken all reasonable care, he did not know and had no reason to know that proceedings were in progress or imminent.

Though a step in the right direction, the 1960 Act has fallen far short of ending the newspapers' dilemma. For one thing, there is great uncertainty among journalists as to the meaning of "imminent." It seems clear that once a man is taken into police custody (once he is "assisting the police with their enquiries," to use the press euphemism), newspapers must assume that proceedings against him are imminent. But how much more does "imminent" mean? Does it cover the situation where a man will be arrested and charged soon, and if so, how soon? Does the fact that a man is likely to be charged one day (*e.g.*, after completing a prison term for another offence) make proceed-

[1] Anthony Lewis of the New York *Times* quotes the conclusion of one English newspaper lawyer's memorandum to the editorial staff of his paper: "If there is any doubt, don't publish. Let some other editor go to jail."

[2] "... Press investigations have sometimes helped considerably in bringing criminals to justice, notably in the *Rouse* case, the *'Brides in the Bath'* case, and in the *Messina Brothers* case." *The Lawyer*, "The Press and the Law II," Vol. 7, No. 2, p. 11 (Trinity, 1964).

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ings against him imminent?[3] And even if the meaning of "imminent" were clear, difficulties in determining the status of a case would cause hesitation. There is no central register of summonses issued or committals ordered throughout the country; nor, of course, is there any reliable way of checking whether the police *are about to* take action. Editors are reluctant to publish on the basis of a limited enquiry, for fear of being found not to have exercised the reasonable care the statute requires.

EVEN IF THE POINT at which proceedings become imminent could be defined and determined with certainty, the financial risk produced by the contempt rule would deter much criminal investigation. It takes a good deal of time and money to investigate a scandalous situation, particularly since the paper must be prepared to defend a libel suit and therefore must amass impeccable proof of every assertion it makes. The realisation that before the results of the investigation are ready for publication, the police may discover and charge the wrong-doer, thereby barring further press comment, makes newspapers hesitate to risk the financial investment. During *The People*'s football bribery and dog doping investigations, the police co-operated by not proceeding against the parties in question until the stories were printed (thus mirroring a realisation that the press can assist them in uncovering and proving crime). There is, however, no assurance—nor should there be—that the police will always be able and willing to withhold action in this way. The fact thus remains that in undertaking a criminal investigation a newspaper is, thanks to the contempt rule, risking a good deal of money.

Visibility of Police Techniques

THE LAW is clear that once a man is taken into custody by the police, the press must not probe and publicise the progress which is being made towards proving the case against him. Yet in many cases it is while he is in custody that the rights of the accused are most in need of protection. Investigation techniques—interrogation, identification parades, etc.—may be misused. From time to time investigators, out of zeal or hope of promotion, may embellish or even manufacture evidence against an individual. Mary Grigg, in her book on *The Challenor Case* (1965), has suggested that if the press had felt free to speak out sooner, Detective-Sergeant Challenor, whose strange habit it was to plant evidence on innocent men, might have been stopped before thirteen of his victims were sent to prison.

Though Challenors are rare, the temptation for the police to be selective in their enquiries, pursuing those lines of investigation which are likely to implicate the prime suspect and discarding those which are not, is ever-present. This is not blameworthy; it is an inevitable result of the fact that it is the policeman's job to come up with a suspect and a case against him. Naturally, he will at some point begin to select his facts to fit his theory rather than *vice versa*. But though the impetus is understandable, the fact must be faced that from time to time—even in England—innocent men are convicted. Surely Leslie Hale has demonstrated this in his book *Hanged in Error* (1961).

Newspapers, unlike the police, are *not* institutionally committed to the task of proving the case against the chief suspect. It is largely due to the investigations and protestations of the press that the question of Oscar Slater's guilt was re-opened in 1928, and the culpability of Timothy Evans has just been reconsidered and an official pardon issued. But Evans was executed seventeen years ago, and Slater spent nineteen years in prison before his conviction was quashed and he was awarded £6,000 for his trouble. It does not seem too courageous to suggest that if the press had felt free to conduct its probing prior to trial, these men might never have been convicted.

It might be argued that it is invalid to infer from the fact that the press is at times willing to take up a man's cause *after* conviction that it would, if it could, be interested in doing so *before*. For, the argument runs, whereas the public likes to read about how an innocent man has been unjustly convicted and punished, there is no market for stories favourable to the defence before conviction. Even if one is prepared (and I am not) to assume that newspapers are never motivated by non-economic considerations, it plainly is not the case that all the public wants are stories implicating the chief suspect. (What a dull world it would be if the police were always right.) The experience in the United States, where reporters are permitted to cover the investigative process between arrest and trial, demonstrates that in its search for stories which will sell papers, the press will, given the chance, sometimes perform services which have the effect of protecting the rights

[3] The hesitation engendered by the statute's ambiguity is compounded by the fact that it is the law in Scotland that once the police start investigating—which usually means as soon as the crime is committed—the press cannot conduct an independent probe. A number of English newspaper lawyers are fearful that an English court might one of these days adopt the Scottish rule. This fear cannot help but colour the advice they give their editors.

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of the accused. For example, stories exposing unfair police investigation methods both interest the reading public and benefit potential defendants. "There is hardly a jurisdiction in this country in which newspapers in the last 50 years have not discovered violations of the rights of accused persons in the period preceding trial," asserts James Russell Wiggins, the editor of the *Washington Post*—a bit overstated, perhaps, but it does not miss the mark by much.

ANOTHER SORT OF STORY which is both readable and helpful to the accused is one which argues that the police are holding the wrong man, that in fact someone else is responsible for the crime in question.

In 1964 in New York City, a young Negro confessed to the murder of two women, and most people, understandably, concluded that the case had been solved. Several months later a crime reporter for the New York *Daily News* (widely regarded as one of America's more "sensational" newspapers), by talking to police officers and others with information about the case, learned that the man who had confessed had an alibi and that in fact another seemed a far more likely suspect. For two months the *News* refrained from printing what it had learned, lest it interfere with the investigation. Finally it printed a story suggesting that the authorities were proceeding against the wrong man. The other man was arrested a week later, and subsequently convicted. In the United States this case has been widely noted as one which tells us something about the reliability of confessions. It also tells us something about the ways in which the press—even the "sensational" press—can help protect the rights of the accused.

A prosecutorial technique common in England (as well as the U.S.A.) is to offer one of the persons responsible for a crime a concession (a reduced charge or no charge at all) in exchange for his testimony against the other wrong-doers. Though perhaps pragmatically defensible, isn't this the sort of practice which papers should, and would if they had the chance, bring to light?

In 1965 a reporter for an English press association saw a tipstaff leading a man off to gaol. (In fact the man had just been sentenced, in a closed hearing, to ten days for violating a wardship order.) The reporter asked the judge to give him some information about the charge and sentence, but the judge refused (as he was entitled to under the law as it then existed). This led to a general outcry in the press against such secret proceedings; eight M.P.s introduced a motion deploring the procedure; and the court rules were amended to require disclosure of the name of the man sentenced, the nature of his offence, and the length of the sentence. This is an example of the kind of thing reporters can and will do in areas they are permitted to probe and publicise—in this case, the judicial process. It is reasonable to infer that if they were given the chance, they could perform similar services for the integrity of the investigative process.[4]

A NEWSPAPER can aid the administration of justice not only by conducting its own probes but also simply by publicising the progress the police have made. For example, publishing a description of the criminal given the police by an eye-witness can lead to some reader's identifying the man or disclosing his whereabouts. So it is with photographs. When Scotland Yard was seeking John Henry Cole for attacking and robbing a number of women, they requested the press *not* to publish photographs of him on the ground that such publication might undercut the value of identification testimony given subsequently at the trial. Disregard of such a request subjects a paper to a real threat of a contempt citation. Nonetheless, the *News of the World* (6 million circulation) printed Cole's picture. Two days later Cole was recognised and captured, although the *Police Gazette* had run his picture for weeks without result.

Similarly, press reports of committal proceedings and trials, both of which are permitted under present law, have on a number of occasions caused new witnesses to come forward—sometimes with information which helps the prosecution, sometimes the defence. Is there not every reason to suppose that permitting coverage of the events between arrest and charge would have a similar effect? (Indeed, the earlier in the process a witness can be brought forth by publicity, the more useful he will be in terms of saving police investigation time.)[5]

[4] In view of the disclosure that the *News of the World* was making payments to the star prosecution witness in the Moors murder case, it may not be out of order explicitly to note that freedom to report need not carry with it a right to pay witnesses, and surely implies no right to condition the amount of the payment on the outcome of the trial.

[5] The contempt rule can discourage even *post*-trial appeals for witnesses. The 1965 Report on the Law and the Press (issued by a joint working party of *Justice* and the International Press Institute) reported that on at least one occasion, fear of a contempt citation had prevented a newspaper from acceding to a request, made in behalf of a man who had just been convicted, that it run an item requesting anyone who was in a position to corroborate his alibi to come forward.

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Commenting on Cases on Appeal

The law of contempt is also unclear, and therefore has a great deterrent impact, with regard to what can be said about a case after trial but while it is still on appeal. Once again the fact that the press is confused and constrained is unfortunate, for comment on such cases can greatly aid the judicial system. Whether it is desirable that newspapers comment on the *factual* issues of a case pending on appeal—*e.g.*, whether the appellant in fact committed the crime, or whether his mental condition is such that he deserves to be punished—is a difficult question. Both the English and American legal systems theoretically suppose that appellate judges, like juries, are to decide such factual questions on the basis of only the evidence contained in the record, and the arguments of counsel. But we are not entirely consistent in our thinking. For we applaud Emile Zola's efforts to prove Dreyfus innocent, Sir Arthur Conan Doyle's lifelong struggle to free Oscar Slater, the efforts of the British press to get a reprieve for James Hanratty (the convicted "A-6 murderer") and Ludovic Kennedy's recent efforts on behalf of Stephen Ward. But if such crusades are desirable after the judicial process has run its course, are they not even more desirable while there is still time to avoid the alleged injustice? It is, unfortunately, not uncommon for a trial lawyer, because of inexperience or inattention, to fail to get into the record all the data the appellate court needs fairly to decide the case. Perhaps the press should be free to help remedy such omissions.

But even if we don't want appellate judges to read newspapers in order to inform themselves about the factual issues in cases coming before them, there can be no question that we should encourage press comment on issues of law, *i.e.*, suggestions as to what the appellate court should find the controlling rule to be. I hope we have left far behind the notion that "The Law" is a list of rules deduced *in vacuo* from some set of celestial principles to which the courts have access, and therefore the bringing to bear of empirical data, and arguments as to what practical effects the adoption of a given rule would have, are somehow out of order. I hope, too, that neither the bar nor the public ever gets talked into thinking that lawyers (and their legal periodicals) are the only ones qualified to bring such considerations to bear. Law which does not respond to social needs cannot, nor should it, long remain law. The press is an organ well suited to articulating those needs.

However, the distinction between factual and legal discussion is not a clear one. A newspaper might, for example, wish to argue that a certain rule of law acts to exclude evidence which should be heard, *e.g.*, that the MacNaghten ("right and wrong") insanity test keeps out of the trial evidence the jury needs fairly to decide whether the mental condition of the accused is such that he ought to be imprisoned. Few would deny a paper the right to make such an argument. But unless it can point to the effects the rule under attack is having in a specific case, is it really able to argue in terms which will either interest or persuade its readers? It must, I think, be accepted that if we are going to give newspapers an effective right to editorialise on questions of law, factual data relating to pending cases will from time to time find their way into print.

This does not, however, to me seem to present a serious danger of prejudicing the right to an unbiased hearing. For appeals are decided by judges, who, while they are not supermen, have been trained to disregard facts and arguments which are irrelevant or for some other reason unworthy of consideration. Such an approach was suggested by the Queen's Bench Divisional Court in 1960. The case involved an article, published in the *Daily Sketch* while a criminal conviction was on appeal, which referred to the convicted man as a "hooligan" and a "thug." While the court suggested that this would have been contemptuous if it had been printed prior to the jury's verdict, it refused to hold the *Sketch* in contempt, on the ground that when it ran its article the only people left to consider the case were judges. The court stated that the test to be applied in such cases is whether the article "creates a real risk, as opposed to a remote possibility" of prejudicing the hearing.

Though the court thus indicated that papers can say more after a trial than before, it gave them no clear idea of how much more. The "real risk" test is hardly a model of precision, and whatever solace journalists might have found in the refusal to hold the *Sketch* in contempt was largely neutralised by the court's incantation of the time-honoured *caveat* that "newspapers publish such articles at their peril." It is, therefore, not surprising that most editors and newspaper lawyers still act on the assumption (the criticism of the Mail Train Robbers' sentences is a notable exception) that it is dangerous to comment on a case, or to publish letters containing such comment, until the appeal has been disposed of—that is, until it is too late to do any good.

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Criticism of Judges

ANOTHER FACET of the law of contempt limits criticism of judges by making it an offence to "scandalise," or offend the dignity of, the court. The rationale underlying this part of the rule has been stated by Lord Denning:

> The judges must of course be impartial; but it is equally important that they should be known by all people to be impartial. If they should be libelled by traducers, so that the people lost faith in them, the whole administration of justice would suffer. It is for this reason that scandalising a judge is held to be a great contempt and punishable by fine and imprisonment.

Thus the restrictions on press criticism of judicial behaviour—which obtain all the time and not merely during the pendency of the case to which the criticism is addressed—are also related to the goal of safeguarding the course of justice. But the relation is indirect and long-range. Like the doctrine of contempt of Parliament, they stem from the idea that the tarnishing of a tribunal's image will, in the long run, decrease its capacity to do its job.

The 1959 *Justice* Report took the position that the cases relating to scandalising the court, properly read, place no restriction on criticism of a judge's *competence*. They mean only that a paper cannot allege judicial *partiality*. Most journalists and newspaper lawyers accept this as an accurate, if rough, statement of the existing law. But does it really benefit the administration of justice to keep the press from calling attention to what it takes to be partiality on the part of a judge? Judges are men, and it is sometimes difficult for them to avoid unconsciously importing their personal loyalties and political convictions into their work. The English judiciary is rightly renowned for its fairness, but that is no reason to take from the press the right to object in the rare case where partiality is displayed. Indeed, the secure position in the public's esteem the judiciary has earned suggests that the confidence of the people, and therefore the effectiveness of the judicial process, will *not* be destroyed when the rare transgression is brought to light.

During the first three decades of this century, English courts gave newspapers wide latitude in criticising judges. However, in 1928, after Dr. Marie Stopes had lost a libel action which arose from the refusal of one of the national dailies to publish her advertisement advocating birth control, the *New Statesman* said of the libel trial that the presiding judge had permitted prejudice on his part concerning Dr. Stopes' views to influence his summing-up. The editor was found guilty of contempt, though no fine was levied.

Three years later the magazine *Truth* said of Lord Justice Slesser, who was at the time presiding at a trial involving an Act of Parliament which, as Attorney-General in the previous Labour Government, he had guided through the House of Commons: "he can hardly be altogether unbiased about legislation of this type." The King's Bench Divisional Court held that the article in question assailed Lord Justice Slesser's impartiality, and fined the editor for contempt (against Lord Justice Slesser's wishes, it should be added). The press has been scared ever since. But wouldn't the integrity of the legal process benefit from a press free to argue that a judge who has expressed strong feelings about an area should not preside in a case involving that area—provided it can prove its factual allegations? (If a paper cannot back up what it says, it is susceptible to a libel suit.)

NO ONE HAS RECENTLY been held in contempt for criticising a judge. Ludovic Kennedy, in his book on *The Trial of Stephen Ward* (1964), seems to have got away with suggesting that the trial judge, by the tone and content of his summation and remarks made during the trial, prejudiced Ward's cause. Nonetheless, the bulk of the press continues to feel the restriction.[6] One London journalist told me of having written an editorial suggesting that a certain judge, because of past political affiliations which might lead him unconsciously to favour one side in a case he was trying, should have recused himself as to that case. Even though the editorial did not assert that the judge had in fact conducted the trial unfairly, the editor, fearful of a contempt citation, unhesitatingly killed it. Another told me of wishing to editorialise to the effect that a certain judge had been appointed largely in return for favours rendered to those responsible for the appointment. This comment was not even set down on paper, the journalist fearing (reasonably, I think) that a court might find it to be a personal attack on the judge rather than a criticism of his competence, and hold it to be contemptuous.

Nor does the rule bar only charges of partiality. Because the line dividing such allegations from allegations of incompetence is a fuzzy one at best, the rule has the (unintended) effect of discouraging the latter as well. What of the judge who announces that he thinks a certain law unfairly ties his hands by keeping him from giving sentences as severe as he thinks

[6] Even Mr. Kennedy, for one reason or another, repeatedly made the point that the trial judge may have been unaware of the effect his remarks were having.

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appropriate?[7] Is a paper that suggests that this attitude will keep him from applying the law in the spirit Parliament intended charging incompetence or a kind of partiality? And what of the judge who, in the belief that one litigant has little to support his case, interrupts and generally makes things unpleasant for that man's counsel? Occasionally a paper will criticise a judge for chronic interruption. One such attack, launched by *The Observer* in 1957, was followed a few months later by the judge's resignation. But such criticism is rare, a situation which led the 1959 *Justice* Report (as well as a Report issued in 1965) to suggest that there should be more of it. There has, however, been no appreciable response to these suggestions. This is understandable. For the *Justice* Reports of course lack the status of binding authority, and it is not at all unreasonable for an editor to fear that a court confronted with the issue might hold that criticism of a judge's interference with one litigant's attorney constitutes a charge of partiality rather than incompetence, and therefore deserves a contempt citation.

Most journalists feel that the atmosphere surrounding this area of contempt law has somehow changed, that a paper could now get away with more criticism of judicial behaviour than it could have thirty years ago. Unfortunately, they have no way of telling how much more. Once again, the line dividing the permissible from the impermissible is unclear, with results unfortunate for the administration of justice. Little has changed since Cecil H. King, the Chairman of the *Daily Mirror* Group, observed in 1962:

> The actual operation of the rules against contempt of court, however, has meant that of recent years no serious criticism of judicial proceedings above the level of magistrates' courts has been thought to be possible. In fact there has been little or no such criticism, though a good deal from time to time would have been in the public interest. As judicial proceedings are not criticised in the House of Commons, this means that there is no criticism of proceedings in the higher courts.

THUS THE CONTEMPT RULE, in seeking to curtail trial by newspaper, in fact has much wider effects and deters newspapers from performing services of potentially great aid to the administration of justice. The obvious next question is whether the good the rule does is sufficient to justify these losses. This entails an examination of the extent to which it accomplishes its goal of guaranteeing the right to a trial by a jury unaffected by publicity. For if the pig is not being roasted, the burning of the barn is surely unjustifiable.

[7] At the other extreme, one magistrate announced that he would refuse to hear charges against drivers exceeding the new 70 m.p.h. speed limit. "I am making my stand in defence of a basic freedom," he declared. "If we accept this rule, it is going to make us into a nation of milk-sops. . . ."

A Jury Unaffected by Publicity?

THE FEATURE of English press law which is most surprising to an American lawyer is that in this country a man's conviction is permitted to stand on appeal, no matter how strong a showing of prejudicial publicity he is able to make. In 1949 the *Daily Mirror* published inflammatory stories about one Haigh, who was about to be tried for the "acid bath murder" of a Mrs. Durand-Deacon. On the basis of those stories the *Mirror* was held in contempt and fined £10,000, and its editor was sent to prison for three months. In so holding, the court said:

> To quote Lord Hardwicke, it was a case of "prejudicing mankind against persons before their case is heard." Anyone who had had the misfortune to read the articles must be left wondering how it could be possible for the applicant to obtain a fair trial after what had been published. Not only did the articles describe him as a vampire and give reasons for that description of him, but, after saying that he had been charged with one murder, went on to say not merely that he was charged with other murders but that he had committed others, and gave the names of the persons whom, it was said, he had murdered. In the long history of the present class of case there had never, in the opinion of the court, been one of such gravity as this, or one of such a scandalous and wicked character.

Not surprisingly, Haigh was convicted of murder and sentenced to death. In view of the language just quoted, to the effect that the *Mirror*'s articles rendered negligible Haigh's chances for a fair trial, would it not appear that justice required a reversal of his conviction? Had the trial judge admitted into evidence the matter printed in the paper, the conviction would surely have been reversed. It is difficult to see how the fact that it came to the jury's attention in another way—*via* the press—made it less prejudicial to Haigh's cause. In fact, however, it was so clear under English law that the prejudicial impact of the *Mirror*'s stories did not merit a reversal of the conviction that Haigh's lawyers did not even bother to appeal (and he was promptly executed). By holding the *Mirror* in contempt, the court may have rendered more likely impartial hearings for other defendants, but it is impossible to say that in Haigh's case the system made good its guarantee of a jury unbiased by newspaper publicity. Guilty he may well have been; but isn't the reason we want unbiased juries that we don't trust biased ones?

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WE HAVE SEEN that the law deals harshly with papers which publish prejudicial material during certain segments of the criminal process —the periods between arrest and committal, and committal and trial. There are, however, "gaps" in the contempt rule, segments of the process during which the press is free to make public material which may have the effect of influencing the jury's verdict—the periods preceding the arrest, and during the committal proceeding and the trial itself.

One of the first things to strike an American visitor is the great volume of publicity given in this country to the discovery that a crime has been committed and the early (pre-arrest) stages of the investigation. This undoubtedly results in part from the fact that there are fewer violent crimes here; but it appears that the contempt rule also has something to do with it. For editors know that once a man is charged, they will be able to print essentially nothing more about the case until the committal proceeding. More than one Fleet Street journalist has told me of how he has worked especially hard to get a crime story ready for one edition for fear that someone will be charged before the next deadline. Although the difficulty of determining whether police action against a given man is imminent makes papers shy away from pointing an accusing finger at anyone, it is perfectly safe (and extremely common) to print a detailed description of the *corpus delicti*. (The Moors murder investigation and the discovery of various women's torsos in the Thames are two conspicuous recent examples.) Louis Blom-Cooper—although arguing for a different point, the abolition of committal proceedings—has pointed out the potential prejudicial impact of such descriptions:

> Could any juryman remain untouched by the details of the crime? It was bad enough that the horrible details would be presented at the trial, but the other elements of judicial impartiality and their constant warnings on burden of proof, etc., from judge and counsel could to some extent provide the necessary antidote.

Newspapers also commonly publish descriptions of the man the police are after. For example, of the man sought in connection with the theft of the World Cup, the *Evening Standard* said: "The man was about 5 ft. 10 in. tall, had a sallow complexion, black hair brushed back and greased down, dark eyes. He might also have a scar on his face." Though such detailed description undoubtedly helps the police find the man they are after, it can at the same time emplant in the mind of a prospective juror an image of what "the guilty man" is like.

Another way matter prejudicial to the accused can find its way into print without infringing the law of contempt is in connection with a prior and seemingly separate proceeding. The prior proceeding may have involved the accused himself, as in the case of Albert Jones, who in 1960 was convicted—in a widely publicised trial—of the rape of one girl, and then shortly after charged with the murder, after sexual interference, of another. The publicity accorded the first trial was not contempt, since reports of judicial proceedings do not fall into that category, but there can be little doubt that it decreased Jones' chances of an unbiased trial on the second charge. Or the prior proceeding may have been one which was focused on another person or other persons and which touched the accused only tangentially. The paradigm recent example of this is Stephen Ward, who, before he was charged, was caught on the fringe of the publicity spotlight trained on John Profumo *et al.*

ONCE A MAN IS CHARGED the press must keep silent. When, however, the case reaches the committal proceeding, it is again open season. Newspapers can report whatever transpires at the committal hearing, which in most cases means that they will report only prosecution evidence and arguments, since the defence generally declines to put on a case at this point.

The case most often cited in this regard is that of Dr. John Bodkin Adams, in which evidence was adduced at the committal proceeding, and therefore reported in the press, purportedly tending to show that he had killed three of his patients. In fact he was subsequently charged with (and acquitted of) only one of these supposed murders. It has also been argued that the publicity given to Stephen Ward's committal proceeding—including damaging evidence which at the trial was withdrawn by the witness—was so extensive that it probably had an effect on the jury which ultimately convicted him. In the Moors murder case, the committal hearing commenced in private; the magistrates decided after one day to throw it open to the public, however, which meant that it could be fully reported. In fact the news media exercised great self-restraint in reporting this hearing (which featured much evidence of a most grisly character); but enough managed to get into the papers to lead many people to doubt whether it would be possible to convene a wholly unbiased jury. In any of these cases, had the prejudicial matter been published one day prior to the committal proceeding, the paper would have been in contempt. Yet it is difficult to see how the fact that it was printed during the proceeding lessened its probable impact on the jury.

Paradoxically, press coverage of the trial

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itself can also have the effect of impressing on the jury's consciousness matter prejudicial to the accused. Newspaper stories on criminal trials almost invariably stress the prosecution's case. For one thing, the prosecution's evidence is presented during the first few days of the trial, when public interest in (and therefore newspaper space devoted to) the trial is greatest. Moreover, whereas the prosecution's job is to paint a complete and consistent picture of guilt, the defence's case will of necessity be more piecemeal and negative—proving an alibi here, undercutting a prosecution claim there. It is easy to see which makes a more readable story, and anyone reading reports of a trial is likely to get a somewhat one-sided picture. Yet since 1948 jurors have not been sequestered (*i.e.*, kept isolated during adjournments) and thereby prevented from reading newspaper accounts. And how many of us can resist reading a review of a play, or an account of a football match, which we have participated in or attended?

The Schizophrenia of Contempt

THE FACT that there are gaps in the contempt rule demonstrates that English law from time to time makes concessions to the realisation that a free press can contribute to the administration of justice. Newspapers are left free to report on the early stages of criminal investigations because somebody sometime realised that the public has a right to be kept informed of the state of law and order in the community, and that publicity can lead to earlier apprehension of the culprit. The rationale underlying the unrestricted reporting of committal proceedings and trials is that maximum visibility of the judicial process will make the public better able to do its part in making that process work. Yet the law fails to follow through with this reasoning. With regard to the periods between charge and committal, and committal and trial, it disregards the values of a free press and single-mindedly concentrates upon the goal of producing a jury unaffected by publicity. Thus, "free press" carries some days, "fair trial" others.

This "schizophrenia" becomes most apparent when we look at the debate raging over the only gap which has ever been recognised as such and given attention: the freedom to report committal proceedings. The spate of publicity accorded the committal hearing in the Bodkin Adams case led to the formation of the Tucker Committee; in 1958 it recommended that although such hearings should continue to be held in public, no reporting of them should be allowed, save for the barest details of the charge, the accused, and the decision. Despite a spirited campaign in opposition, led by the Law Society and the Press Council, the Committee's recommendations form a part of the new Criminal Justice Bill.

Not surprisingly, the basic argument advanced by the proponents of the Committee's proposal is that which has for years been cited in support of the contempt rule in general: that press reports are bound to incline a jury towards convicting the accused. The arguments *contra* have been stated with equal vigour: that the glare of publicity safeguards the integrity of the committal process; that there has been no showing that press reports in fact incline a jury towards conviction; and that reporting the facts will check the proliferation of unfounded rumours and bring forth witnesses. I obviously do not suggest that these arguments are invalid. They do, however, well point up the double standard inherent in much English thinking about free press and fair trial. For whereas every one of the contra-Tucker arguments cited, carried to its logical conclusion, cuts not only against the Committee's proposal but also in favour of a general relaxation of the contempt rule, no one, so far as I know, has used them to support such a complete overhaul. Thus the free press/fair trial debate takes place piecemeal, one stage of the proceeding at a time, and the combatants fail to consider whether their arguments might not have some meaning for the other stages as well.

ONE POSSIBLE REACTION to this "schizophrenia" is to say that it demonstrates what a reasonable compromise the English system is. Gaps have been left in the law of contempt so that society can enjoy the benefits of a free press—but at the same time, in order to preserve the right to a fair trial, the press is restricted during most of the process. Comfortably moderate though this may sound, it will not do. The segments of the process which can be reported are not always those most in need of publicity, nor are those events which cannot be publicised the ones that are most likely to influence a jury. For example, reports of committal proceedings probably have more effect on a jury than material reported earlier, right after the arrest, would have. At the same time, the post-arrest process of amassing evidence against the accused is in greater need of public surveillance than the committal proceeding, whose only task is to decide whether there is enough evidence to hold the accused and whose errors can therefore be corrected at trial. Yet committal proceedings can be reported. Post-arrest investigation cannot. Thus even if a "now you can print it, now you can't" system were desirable, the

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present compromise is a poor one, because the lines between the reportable and non-reportable segments of the process are not functionally related to the two goals involved.

A more important objection to the "reasonable compromise" view, and indeed to the present state of English law, is that the existence of the gaps makes it difficult to justify the restrictions. If the press, with the blessing of the law, is going to broadcast the prosecution's case (including some data which will not be admitted at the trial) during the committal proceeding in March, how can the fact that in January it tells the public what sort of evidence has been uncovered be thought to prejudice a trial taking place in April? But suppression of freedom can be justified, if at all, only when the benefits thought to derive from such suppression in fact materialise.

Is Improvement Possible?

WE HAVE SEEN that the law of contempt deters newspapers from performing socially valuable functions largely because it is vague. Can it be clarified? The *Justice* Reports took the view that it cannot, since it is impossible to foresee all the ways in which a man's trial might be prejudiced or the dignity of the judicial system undermined. This seems to me overly pessimistic. Surely some of the problem areas—*e.g.*, at what point proceedings become "imminent," and what sorts of considerations may be advanced while a case is on appeal—could be clarified relatively easily. The reason why these areas, despite the obvious trouble they cause, have not been cleared up is that courts are traditionally limited to deciding the cases which come before them. It is not their function to write guide-books. And cases raising the troublesome issues don't readily come before them because the penalties for contempt are stiff and editors do not take chances. Thus vagueness is self-perpetuating. If clarification is left to the judicial process, it will be a long time in coming.

Parliament, however, need not wait for cases. It could enact a statute providing editors with guide-lines more detailed than those which can be gleaned from the present patchwork of cases, and thereby eliminate much of the overkill. Though any effort in this direction is, in my opinion, to be applauded, even a well-drawn statute would not herald the best of all possible worlds. *Justice*'s point is not without some validity. Increased clarity as to what papers can and cannot say would mean an increased possibility that a paper could print something which has a prejudicial effect without running afoul of the law. Only a vague net can catch everything. Of course the chance of escape is a price we always pay for fair warning, and loopholes, once discovered, can be closed. But loopholes ordinarily come to light only after they have been used, which in this context—so long as English courts uphold convictions by juries touched by prejudicial publicity—would in many cases mean after someone convicted by such a jury has gone to prison. Moreover, even a clearly drawn statute is bound to deprive society of *some* of the benefits deriving from a free press. Such a law would, for example, undoubtedly provide that once a man is charged, the press cannot publish facts which tend to support the inference that he is guilty. But even this relatively limited and specific stricture would discourage press surveillance of the investigative process, eliminate the possibility that someone reading about the evidence would be moved to come to the authorities with information which either buttresses or contradicts it, and (because of the financial loss which arrest would entail) deter newspaper investigation of crimes. Since most sorts of information can be published in a context that will aid the administration of justice, the only wholly satisfactory answer to the free press/fair trial problem is to find a way of leaving the press free to investigate and criticise—and at the same time ensuring that the matter thus published will have no effect on the jury which ultimately tries the case. It is this which the American system—albeit, to date, with a distinct lack of success—tries to do.

A Different Approach

IN THE UNITED STATES there are no legal limits (other than the law of libel) upon crime reporting. Three cases decided by the Supreme Court in the 1940s established that newspapers cannot be held in contempt for publicising or criticising criminal investigations and trials.[8] The First and Fourteenth Amendments to the U.S. Constitution, which safeguard the freedom of the press, reflect a judgment that the integrity of all governmental processes (the criminal process included) is rendered more secure by the existence of a press willing

[8] The Court's language left open the possibility that a paper might be held in contempt for printing a story presenting a "clear and present danger" to the administration of justice. The way the Court interpreted those words, however, left little doubt that it would be practically impossible for a contempt citation to escape reversal, and in fact since the three decisions no state court system has permitted a newspaper to be held in contempt; nor has Congress or any state legislature passed a statute restricting the coverage newspapers can give the criminal process.

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and free to expose to public view their workings and to comment adversely upon them when they are malfunctioning. Democratic theory presupposes that it is the people who provide the ultimate check on how the government is run; but this theoretical check will be of little avail unless the public is kept informed of what is going on. "The administration of the law is not the problem of the judge or prosecuting attorney alone, but necessitates the cooperation of an enlightened public," the Supreme Court has said.

Nor is the judiciary exempted; judges are neither more nor less susceptible to criticism than other government officials. Of course much criticism will be neither reasoned nor constructive. The men who framed the Constitution evidently felt, however, that to establish a system wherein only "reasonable" complaints are permitted would be to put in someone's hands a dangerous censorial power, and that it is therefore better to let the inherent good sense of the people take care of unjustified and scurrilous attacks. "SAVE OUR REPUBLIC: IMPEACH EARL WARREN!" scream the billboards; yet Chief Justice Warren would be the last to destroy the right to erect them. By refusing to allow the suppression of such abuse, judges do not detract from, but on the contrary enhance, their dignity. As the Supreme Court itself has said:

> The assumption that respect for the judiciary can be won by shielding judges from publicised criticism wrongly appraises the character of American public opinion. For it is a prized American privilege to speak one's mind, although not always with perfect good taste, on all public institutions. And an enforced silence, however limited, solely in the name of preserving the dignity of the bench, would probably engender resentment, suspicion, and contempt much more than it would enhance respect.

To be sure, exposure and criticism of the investigative-legal process will sometimes make it difficult to ensure that a criminal defendant will be tried by a jury untouched by publicity. Unfortunately, however, it is impossible to suppress potentially prejudicial material without at the same time losing some of the benefits of a free press. "Publicity which performs valuable social functions" and "publicity which may prejudice a man's trial" are not mutually exclusive categories. Two of the most frequently cited examples of American "trial by newspaper" illustrate this point.

Ever since Dr. Samuel Sheppard, a Cleveland osteopath, was convicted in 1954 of murdering his wife, commentators have argued (and the Supreme Court has just agreed) that the publicity given his case was so extensive that it must have influenced the jury which tried him. The contention is convincing. However, much (though by no means all) of the publicity in question took the form of an argument —whose validity I am not in a position to judge —to the following effect: since there is evidence which indicates that Dr. Sheppard is the man responsible for his wife's death, the police should take him into custody, and are failing to do so only because he is influential in the community. A *Cleveland Press* editorial said:

> Who's holding back, and why? What's the difference between a murder in an "ordinary" neighbourhood and one in a Lake Road house in suburban Bay Village? Who is afraid of *whom? It's just about time that somebody* began producing the answers—and producing Sam Sheppard at police headquarters.

The evidence the papers cited in support of this argument probably did incline some of Sheppard's future jurors towards finding him guilty. But at the same time, do we not want the press to be able to complain when it feels that the police are failing to move against a man because of his social standing?

Similarly, although it is difficult to disagree with the Warren Commission's conclusion that the disclosure by the Dallas Police of the evidence against Lee Oswald and its consequent publication would have made it extremely difficult to empanel an unbiased jury had Oswald lived, there is also little doubt that the publicity, by indicating the kind of man Oswald was—in particular, that he was a hopeless misfit who apparently had worked alone—helped to alleviate the anxiety of a public which was understandably fearful that the murder of their President had been just the first step taken by a widespread conspiracy bent on subjugating their nation.[9] Thus the fact that publicity makes it more difficult to convene an unbiased jury does not mean that it cannot at the same time perform a valuable social function. The task, and it is not an easy one, is to find a way of preserving the value of publicity while ridding it of its prejudicial impact.

FOR YEARS AMERICAN COURTS failed to face this problem. Just as the English legal system has in large measure struck the balance in favour of insulated trials at the expense of freedom of the press, until recently courts in the U.S.A.

[9] To recognise this, of course, is neither to sanction the fact that reporters, television cameras and lights, etc., were permitted to crowd the interior of police headquarters—a condition which ultimately contributed to Oswald's death—nor to suggest that all the remarks made by the authorities, which included detailed and at times inaccurate characterisations of the evidence as well as assurances that the case against Oswald was "cinched," were in the public interest.

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focused single-mindedly on the preservation of their free press tradition and paid scant attention to the effect that freedom could have on the fairness of trials.

Within the past decade, however, the system has begun to awaken to the dangers of publicity, and to take the first halting steps towards doing something to guard against them. The answer selected, however, is not the English one of limiting what the press can say. Rather, the effort has been to develop a set of procedural devices (and resuscitate old ones) which will ensure a jury which has not been influenced by the publicity. In cases where the pre-trial coverage has been intense, the court can use the *voir dire* (the examination of prospective jurors under oath by both lawyers and sometimes by the judge) to weed out those who have been affected by the publicity. It can delay the trial (grant a continuance) until the uproar has subsided; or it can move the trial (change the venue) to a court outside the area where the case was publicised. In a few states an additional device, the change of venire, is available, whereby jurors can be imported from areas the publicity did not saturate. Should the publicity *during* the trial become dangerously heavy, the court can sequester the jury, thereby insulating it from the publicity; or, if questioning the jurors indicates that they have already been exposed, it can stop the trial (grant a mistrial) and start over again. What happens if a court fails to invoke the necessary protections, with the result that someone is convicted by a jury which has been exposed to publicity of an intensity which raises the inference that they were influenced by it? Since 1961 it has theoretically been the law that such omission will necessitate a reversal of the defendant's conviction on the ground that he has been denied "due process of law" in violation of the Constitution.[10] On 6 June 1966, the Supreme Court voided Dr. Sheppard's conviction, at least in part on this ground.[11]

[10] Reversal on this ground does not prevent the state from trying the man again, for the reversal implies only that he was not given a fair chance to counter the state's case, and not necessarily that he is innocent. (On re-trial, Dr. Sheppard was acquitted by a jury, and is now a free man.) In England convictions are not reversed on publicity grounds. If they were, however, there could be no further trial, since reversal on any ground bars re-trial.

[11] The Court was moved also by the fact that the judge had permitted reporters such freedom of action inside the courtroom that they disrupted the trial. This sort of thing could, of course, never happen in a British courtroom. I hope it is unnecessary to point out that nothing I have said implies that it should.

In fact the American system has not worked. Many of the state legal systems have hedged the procedural protections in with technicalities which render their invocation difficult; and some, though not all, state courts have shown reluctance to invoke even those which are plainly available. Nor have the federal courts (U.S. courts, which enforce the Federal Constitution where the state courts have failed to do so) demonstrated any real determination to upset convictions by juries which have not been adequately insulated. There have been several reversals on publicity grounds, but only in the most egregious cases. Even Dr. Sheppard spent nine years in prison.

HOWEVER, THE SYSTEM HAS NOT been given a real test. Reversal on publicity grounds is a doctrine only five years old—new even in American terms. Moreover, prior to the *Sheppard* decision of eight months ago, the Supreme Court had never explained the doctrinal relation between its two lines of cases—those refusing to restrict the press and those reversing convictions tainted by publicity—with the result that lower courts sometimes failed to appreciate that the two issues are wholly distinct. (Thus, the Federal Court of Appeals which refused to free Sheppard seemed to regard the fact that some of the publicity in dispute was socially useful as a reason for upholding the conviction.) The Supreme Court's opinion in *Sheppard* should go a long way towards eliminating such confusion. Although it reversed the conviction, the Court reiterated its determination not to allow the press to be muzzled:

> A responsible press has always been regarded as the handmaiden of effective judicial administration, especially in the criminal field. Its function in this regard is documented by an impressive record of service over several centuries. The press does not simply publish information about trials but guards against the miscarriage of justice by subjecting the police, prosecutors, and judicial processes to extensive public scrutiny and criticism. This Court has, therefore . . . consistently required that the press have a free hand, even though we sometimes deplored its sensationalism.

Rather, the Court continued, it is up to the trial judge to take steps to insulate the jury:

> The [trial] court's fundamental error is compounded by the holding that it lacked power to control the publicity about the trial. From the very inception of the proceedings the judge announced that neither he nor anyone else could restrict prejudicial news accounts. . . . Since he viewed the news media as his target, the judge never considered other means that are often utilised . . . to protect the jury from outside influence.

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Thus for the first time the Supreme Court has made clear that its two lines of cases (no contempt-by-publication, and reversal of tainted convictions) are not, as some law review commentators have myopically suggested, inconsistent. On the contrary, they together constitute an attempt to reap the fruits of publicity while shearing it of its thorns. If the Court's opinion is taken to heart, lower courts will cease to regard "the free press/fair trial problem" as an unavoidable conflict to be resolved by choosing one value over the other, and begin to view it as a potential conflict to be avoided by the invocation of procedural devices.

Moreover, until 1966, the Supreme Court —though it had indicated that convictions tainted by publicity cannot stand—had not given trial judges very clear hints as to what they could do to avoid the taint. This, too, the *Sheppard* opinion remedied, specifically suggesting continuance, venue change, sequestration, and mistrial.[12]

The implication of the opinion is clear that if trial judges do not take the steps necessary to protect the right to a jury untouched by publicity, the federal courts are to upset the conviction. As this message filters down to state and lower federal courts, we shall have our first real test of whether the American approach can work.[13] At present, all we can say is what G. K. Chesterton said of Christianity: it "has not been tried and found wanting. It has been found difficult, and left untried."

THERE CAN be little doubt that to date the English method of dealing with prejudicial publicity—*i.e.*, direct suppression—has produced better results than the American approach. A system which leaves the press wholly free is defensible only if steps are taken sufficient to ensure the integrity of trials; and this we Americans plainly have not done. I can't help believing, however, that the system towards which we are groping—which will, if it works, protect the right to a fair trial without sacrificing freedom of the press—is something a good deal better than what either country now has.

Of course, even if the *Sheppard* decision has the impact I hope it will, and state as well as lower federal courts begin to take the system seriously and make every available effort to insulate juries from publicity, the American system will still have its drawbacks. For one thing, invocation of some of the procedural devices, *e.g.*, postponing the trial or ordering a retrial, can prolong the defendant's undoubted agony. My own feeling, though, is that if such devices constitute the only way both freedom of the press and the right to an unbiased jury can be preserved, their invocation is on balance worth the price.

Once in a while (a very long while, given the availability of continuance and venue change) there may arise a case so sensational that all the procedural devices in the world will not be able to guarantee the defendant a jury which has not been touched by the publicity. In such a case, if the press is to be left free and the right to a fair trial preserved, the only alternative will be to let the defendant go free.[14] The freeing of a man who may well be guilty is not a desirable occurrence. But if it is the only way the two fundamental rights can be preserved, again, is it not worth the price?

John Hart Ely

[12] The Court additionally suggested that state legal systems give some thought to limiting what police officers, lawyers, and witnesses can say to the press. Although there probably is a constitutional difference between muzzling the press and cutting off its sources of information (though I do not find the point so obvious as to justify the Court's total failure to discuss it), it would, I think, be unwise as a matter of policy for a state abruptly to outlaw all such press releases. Drying up the sources of information would carry with it some of the costs of the contempt rule. It would, for example, render difficult press surveillance of the investigative process and minimise the possibility that potential witnesses would hear about the case and come forward. Moreover, silencing those directly involved in a case might well have the effect of forcing the press to turn to others whose information is less reliable and possibly more damaging. (Remember the two cleaning ladies at Vassall's Dolphin Square flat, of whom the Vassall Tribunal's *White Paper* concluded: "...after their connection with Vassall had become known to the Press, they had been susceptible to the excitements and temptations of publicity and had made or at any rate encouraged certain statements about Vassall and his relations with Mr. Galbraith about which they had no real knowledge or even the means of it.")

[13] The Supreme Court hinted that it, too, regards the next few years as a testing period: "We conclude that these [procedural protections] would have been sufficient to guarantee Sheppard a fair trial *and so do not consider what sanctions might be available against a recalcitrant press....*" (My emphasis.)

[14] The spectre of occasionally freeing a possibly guilty man becomes less frightening if it is viewed against the fact that the perpetrators of most crimes are never apprehended in the first place. In England in 1964, of 1,066,467 offences known to the police (which is somewhat less than all the offences committed), only 39·6 per cent. were cleared up. (*The Times*, 21 July 1965, p. 6.) The percentage of apprehension is probably higher with respect to the more serious offences.

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LETTERS

Freud-Bullitt's "Wilson"

MAY A REGULAR reader and occasional contributor enquire why ENCOUNTER has devoted so much space to the Freud-Bullitt essay on Woodrow Wilson? This unfortunate piece of writing can do Freud's reputation no good and seems likely to leave a deal of stale controversy in its wake. Mr. Vladimir Nabokov's offensive language about Freud ("the Viennese Quack") may be disregarded. What is serious is the probable effect upon readers whose intellectual standards are rather more rigorous than his own.

Freud was no historian and had no grasp of the problems involved in trying to assess the interplay between a political figure and a changing historical environment. He operated with a simple cause-and-effect relationship, and necessarily came to grief in trying to size up a historical phenomenon such as the disintegration of Anglo-American liberalism. That this is really the crux of the matter appears, oddly enough, from his quite legitimate concern to bring out Wilson's "filial" relationship to Gladstone. He notes, reasonably enough, that Wilson modelled himself upon Gladstone and *inter alia* inherited the Gladstonian familiarity with the hidden designs of Providence. Having made this quite sensible point he then goes off the rails, and so does his co-author who also incidentally manages to parody Wilson's own pulpit eloquence. At any rate one imagines that Mr. Bullitt is responsible for the rather absurd rhetorical flight in Part II, culminating in the remarkable statement "When Wilson quit in Paris, the stream of Western civilisation was turned into a channel not pleasant to contemplate." If Bullitt believes this, why is he so critical of Wilson's own alleged identification with the Saviour (with whom, by the way, he solemnly compares him in the preceding sentence)?

What Freud and Bullitt (like their erstwhile hero, whose failure at Versailles in 1919 so disappointed them) apparently found "not pleasant to contemplate" was the fact that Gladstonian, or Wilsonian, liberalism and moralism were inadequate to the situation. Hence their anger at Wilson's political and moral collapse. What they should have asked themselves was why the Gladstonian rhetoric, which was politically quite effective in 1880, should have become so stale and tiresome by 1920. But that would have involved them in something rather more subversive than their dismal attempt to disentangle Wilson's neurosis. They might even have had to abandon the naïve notion that there is a direct relationship between a statesman's mental make-up and his political effectiveness. It depends upon the cultural milieu whether a particular form of alienation is merely a man's private misfortune or a means of communicating with others. Wilson's mental disintegration in 1919–20 was indeed an important aspect of a more general dissociation of (liberal) politics and (Protestant) morals; but only one aspect. It has to be seen in the context of the total situation, not elevated to the rank of an incomprehensible disaster which supposedly changed the course of history: an illusion the authors shared with their unfortunate hero.

As for Versailles and the personalities involved, does one really need Mr. Bullitt's balderdash after Keynes' brilliant pen-portraits in his *Essays in Biography*? Keynes of course was too worldly to take Wilson seriously, which may be the reason why his devastating sketch of the President never became popular in America, even among Wilson's critics. These critics after all (as one may see from Bullitt's contribution) shared Wilson's naïve moralism. That the lesson was nonetheless quietly absorbed is evident from Roosevelt's very different (though equally disastrous) behaviour twenty-five years later. And what are the psychologists going to make of *that*?

GEORGE LICHTHEIM

London

I AM HAPPY to read that you intend to publish comments by a psychologist on the selections from "Woodrow Wilson" by Sigmund Freud and W. C. Bullitt, [ENCOUNTER, January]. I will be interested to see if the psychologist comments on the relation between the following two passages (pages 17, 19):

> "The reader will recall that every little boy in his early childhood when confronted by the dilemmas of the Oedipus complex normally escapes from his wish to kill his father by a 'cannibalistic' method of destroying his father: he absorbs his father into himself by identification and establishes this idealised father of early childhood as his super-ego."

And:

> "The little boy who has to give up his mother as a love-object at the time of the dissolution of the Oedipus complex identifies himself with his mother."

Since the super-ego is pre-empted, where, then, is the "mother" to lodge? I believe we are confronted by a contradiction. Or that Woodrow Wilson (and all men?) was capable of extraordinary virtuosity.

STEPHEN KRESGE

Cambridge

PLUS CA CHANGE, the more things remain the same. Or, as William Cowper put it, *"...as the mind is pitch'd the ear is pleas'd ...."* According to your Freud-Bullitt account (ENCOUNTER, February, p. 19), Woodrow Wilson

> "refused to sit again for the portrait that Sir William Orpen was painting of him because Orpen had drawn his ears as large and protuberant as they actually were, and he was persuaded to sit again only by the promise that the ears should be reduced to less grotesque dimensions. They were."

According to the Washington correspondent of the *Evening Standard* (10 Jan.), reporting on a similar altercation between President and Painter,

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"We didn't talk about Viet Nam at the dinner tables in Washington this week. We talked about Peter Hurd's commissioned portrait of President Johnson which LBJ has rejected out of hand as the ugliest thing he has ever seen. Lots of bad blood was created. Mr. Johnson ended by saying that, actually, his favourite artist is Norman Rockwell, and Hurd slammed out of the room declaring, for the record, that men are much vainer than women. I have at last solved the nagging mystery of why Mr. Johnson spurned this excellent likeness. He thinks it makes his ears look much too large."

It all recalls the old limerick:

There was a young man of Devizes,
Whose ears were of different sizes;
The one that was small
Was no use at all,
But the other won several prizes.

BRYAN SHUKER

London

TO MY MIND the second instalment rounds off a magnificent historical narrative. And the whole of written history contains no better parallel to Mr. Nabokov's "last rusty nail in the Viennese Quack's coffin" than the opinion of Canute's courtiers about the tide.

W. L. RICKETTS

Midhurst, Sussex

"The Stammerer as Hero"

PHILIP FRENCH [ENCOUNTER, Nov. 1966] says quite rightly that Aneurin Bevan's stammer became part of his oratorical style, but he does not say how.

The stammer always came on the key word, at the same time creating maximum suspense and stirring a fear of embarrassment which the audience would unconsciously seek to dispel at its first opportunity. An example: in the middle of one of his long, derisive attacks on Harold Macmillan a Tory lady in the audience, goaded beyond endurance, shouted: *"Well at least he's a gentleman!"* Bevan stopped. His hearers hushed. He cupped a hand behind one ear, cocked his head, smiled blandly straight at the interrupter and said in his most beguiling voice: "I beg your pardon, Madam, I didn't quite catch what you said." All eyes turned on the woman. Her initial impulse deflated, she looked abashed and mumbled: "I said at least he's a gentleman." Interrupter defeated already. Bevan raised his eyebrows in innocent surprise, "Of course he's a gentleman. [Pause] We're *all* gentlemen. [Pause] But the point is, some of us are more... [speech block... the members of the audience physically straighten in their seats with suspense] ...*competent* gentlemen than others." [Explosion of laughter].

The three best public speakers I have heard have all had speech defects: Nye Bevan stammered, Winston Churchill could not pronounce his "*s*"s, and Richard Crossman cannot say his "*r*"s. The story that Demosthenes trained himself as an orator by declaiming with pebbles in his mouth may be apocryphal but he is known to have had a speech defect, and it may well have been a stammer.

Although Philip French names a lot of works of art which have someone who stammers among the principal characters he does not mention the most famous of all—*The Bartered Bride*. But the surprising thing is that opera has not made more use of what is after all an essentially vocal characteristic. Apart from Benjamin Britten's *Billy Budd* the only other stammerer in opera who springs to mind is Don Curzio, the notary in *The Marriage of Figaro*. And there the story is that the stammer was not written into the part by Mozart at all but hit on by the tenor who first sang it, Michael Kelly—and that Mozart disliked the idea at first, but was won over by it in performance.

There is at least one non-vocal, purely musical stammer in the orchestral repertoire—the tenth of the *Enigma Variations*, depicting Elgar's young friend Dora Penny.

BRYAN MAGEE

London

Since Disraeli

THERE is nothing "strange," as Mr Roger Fulford tells you in his letter [November 1966], in the fact that the changes in the Conservative leadership since Disraeli's day have largely occurred when the party was the government.

Since Disraeli's day, the Conservative Party has usually been the Government.

KENNETH YOUNG

Maidstone, Kent

Silence

IHAB HASSAN'S ARTICLE on "The Literature of Silence" [ENCOUNTER, January] drove me to the paradoxical extremity of apocalyptic outrage whereupon I tore up his piece and flushed it down the toilet, thus implicating myself in an obscenity which was also revolt, and preserving the value of negation as a positive act. Realising, however, that my deed was merely a mirror image of the denial to act—bound to the very non-values I sought to destroy because of the unavoidable adherence to the ground rules of the "deed game"—I could only relapse into carnality, secure within my private corpuscular anti-language. Let me thank Mr. Hassan for allowing me such insights into myself. The rest (let us hope) is silence!

MICHAEL FRIEDMAN

Trinity College,
Cambridge

Sorry

MY REMARKS on "Oxford Unreformed" [ENCOUNTER, January] contain two serious errors:

opposed should be *perceived* (par. 5, line 6)
ratepayers should be *taxpayers* (par. 10, line 16).

The first error is an obvious misprint: the second suggests that I do not understand the finance of university research. Would you please publish a correction?

C. D. DARLINGTON

Oxford

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"But isn't it possible *to narrow and fix a meaning to the exclusion of richer levels of meaning?*"

Thomas: *"Oh God, isn't an education wonderful!"*

Ghiselin: *"I shall be silent from now on."*

Thomas: *"No, I mean it as a compliment. You say things so well, and I'm ashamed to be flippant and go down the side alleys...."*

Student: *"How do you tell whether a poem is good or not?"*

Thomas: *"If I like it."*

Student: *"But what do you go by?"*

Thomas: *"I like one because it is better than the others." (Silence.) "Before I find a poem I like I have to pass over a great many that I don't like. When I find one I like, I read it. I don't know why. The big problem is to find the poem, then read it—hang by your ears from the chandeliers, or however you read poetry—and enjoy it...."*

Young lady: *"Has your style changed?"*

Thomas: *"Style? Yes. No—I'm still after the same things if that's what you mean."*

Ghiselin: *"Your poetry seems to open little doors in quite ordinary and common events, sometimes by only shifting an image slightly to one side to let in the new idea."*

Thomas: *"How nicely you say it! That is exactly what I would like my poetry to do some day."* Conversations with Dylan Thomas

I remain *an unrepentant believer in colonial self-government. It is the only ultimate answer. But timing is the essence of the matter. If self-government is delayed too long, it will turn sour when it comes. And then we face the tragic choice between undoing our own actions—as now in British Guiana—or allowing the new state we have ourselves created to run to ruin in the pursuit of false gods.* Rita Hinden

Of course, *not all opponents of Communism are liberal; nor are all opponents of fascism; nor are all opponents of anything. But are we to oppose Communism the less in order to allow General Franco, in splendid isolation, to oppose it the more? Of course, liberals ought not to be* exclusively *concerned with Communism: only lunatics are exclusively concerned with any single thing. Liberals ought to be concerned with all "changes and reforms tending in the direction of democracy." But it is a fact that Communism today rules one-third of the human race, and may soon rule more; and that it is the most powerful existing institution which opposes such things and reforms as liberalism proposes. Why, then, should not liberals, and liberals especially, fear and hate it?* Irving Kristol

To read any history *of music is to be unpleasantly reminded of the fantastic narrowness of the conventional concert repertoire. Despite the curse of Babel, it is much easier to get to know foreign and ancient literature than it is to hear any music other than that composed in Europe after 1600. Of course it is always* possible *that we are not missing much. Musicologists have their own and, for them, quite proper approach to music, but it does not always coincide with the listener's. I am tantalised, for example, by the few bars quoted by Dr. Sachs from the French manneristic composers of the 14th century, but when I find that Dr. Sachs admires Edgar Varèse's* Ionization, *a work which I have had the misfortune to hear, I get worried.*
W. H. Auden

In the course *of a recent Asian journey, one fact insistently pressed itself upon my attention: that part of the world which goes by the name of Asia has no real coherent existence—it is a geographical but not a cultural unit. The villages of Japan have far more in common with those of Denmark than with those of India. The Mohammedan of Karachi is much closer to his co-worshipper in Egypt than to his Hindu neighbour in Bombay. The concept "Asia" is a figment of the Western mind, which has little connection with reality—even when used by Asian statesmen.*

Not one of the leading personalities of the Asian world can claim to possess a viewpoint which would embrace all the Asian civilisations. One evening in Bombay, I met an outstanding Japanese writer, in the company of a group of Indian writers. With the exception of Gandhi's autobiography, he had not read a single book by an Indian author. And even his appreciation of Gandhi—a fellow "activist"—was not exactly intimate. He talked first about recent developments in Japanese literature and then about Malraux, Camus, Orwell, and Hemingway. It was soon evident that the only common topic of conversation between Japanese and Indian was the work of Western writers. I spent most of the evening acting as interpreter between the Japanese (who spoke French) and the Indians (who spoke English). François Bondy

I remember the startled look *Virginia Woolf once gave me when I asked why she was always dragging in sea-buckets and spades, and sending little crabs scuttling through rock-pools. She had not realised it, but supposed ("Now that you say so") a hark-back to her childhood at St. Ives. And moths, why was she so haunted by moths? They were always flying in the moment anyone opened a window. She had written about the death of a moth; she had intended to call one book* The Moths, *instead of* The Waves. *Ah, that she could easily explain: in her youth she used to put grease-bands round the apple trees and go out with a torch and a jam-pot after dark. And leaves—why this preoccupation with leaves? leaves browning; leaves fluttering down, blown about a London street; leaves decaying; leaves everywhere. But I forgot to ask her that.*
V. Sackville-West

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Harold Clurman is the distinguished American theatre critic and producer. On and off Broadway he has directed plays by Clifford Odets, Eugene O'Neill, Jean Anouilh, and Arthur Miller. Among his books is *Lies Like Truth* (1958). . . .

Henry Kamen *writes*: "I was born in Rangoon, Burma, of Anglo-Burmese parentage, twenty-nine years ago; but have been in Britain for the last fifteen. My university education was at University College, Oxford, where I did a doctorate on Spanish history. My friends in Spain never ceased to be amazed that someone from Burma, domiciled in Britain, should choose to work on Spanish history. . . . I spent two pre-university years in H.M. Armed Forces, where I was taught how to kill and how to speak Russian. The latter I put to use by producing in 1962, with the O.U.P., a volume of translations from Pasternak (*In the Interlude, Poems 1945–1960*). . . .

"Though previously at Edinburgh University, I have recently taken up a lectureship in History at the new University of Warwick, where I teach Latin American history. . . . Besides *The Spanish Inquisition* (Weidenfeld & Nicolson) which came out in 1965, I have published several learned articles, and a study of *The Rise of Toleration* (due out this year in the World University Library series). . . . I have a wife and a literary agent. My politics are Marxist, my religion Catholic. . . ."

The English edition of Wilson Follett's *Modern American Usage*, reviewed by **Anthony Burgess** ("English as an America," ENCOUNTER, February 1967), is published by Longmans at 50s. . . .

THE two articles on "The Sanctity of Life" by **Sir Peter Medawar** (December 1966) and **Professor Edward Shils** (January 1967) were based on papers given at a conference held at Reed College, Portland, Oregon, under the auspices of the Kaiser Foundation. . . .

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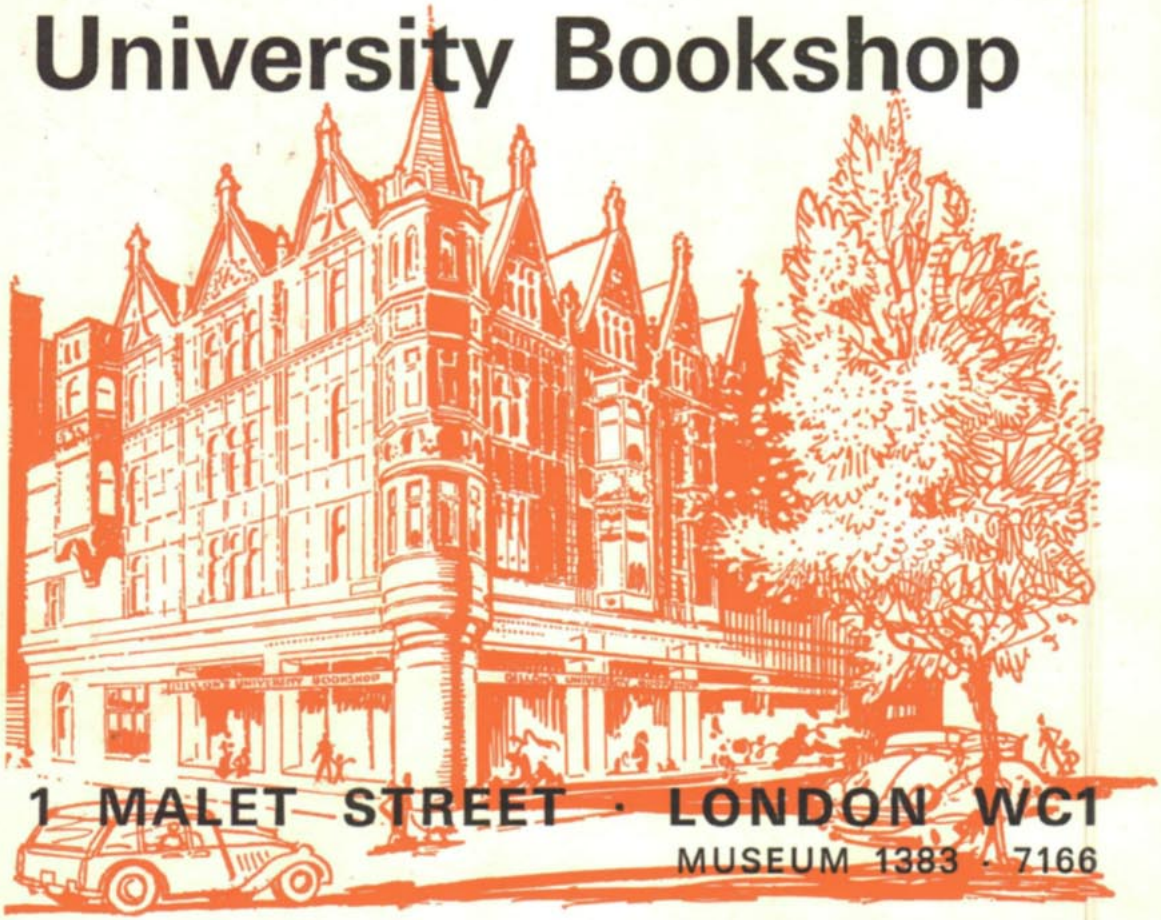

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